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MEMORANDUM

FEB 19 2009

From: COMDT (CG-00)

To: Distribution

Subj: PROGRAM REVIEW - OFFICE OF CIVIL RIGHTS

Ref: DHS Office for Civil Rights and Civil Liberties (CRCL) Letter Dated 18 February 2009

1. Booz Allen Hamilton (BAH) recently completed the enclosed review of the Coast Guard Civil Rights Program. DHS CRCL has endorsed the report and authorized the Coast Guard to distribute its findings. The Director of Civil Rights has already taken action on some of the recommendations and is developing an implementation plan for other items that are actionable in the near-term. The Director of Civil Rights will post the report on its web site and provide periodic progress updates for the benefit of the workforce. I have asked the Director to provide a briefing to the Leadership Council (LC) on recommendations in the report that need the support of other senior leaders to implement longer-term Service-wide solutions.
2. I task the LC to evaluate broad issues of organizational structure, Human Resource practices and needs related to our Equal Employment Opportunity program, diversity, and climate, as well as address skills assessments and training, workload analysis, upkeep of policy directives, and promulgation of Standard Operating Procedures.

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Enclosure: BAH Program Review - USCG Office of Civil Rights

Distribution: CG-09, CCS/DCMS, PACAREA/FORCECOM, LANTAREA/OPCOM,
DCO, CG-00H, CG-00B, CG-09D



Homeland Security

FROM Stephen T. Shih *Steph T. Shih 2/18/09*
Deputy Officer for Equal Employment Opportunity (EEO) Programs
Office for Civil Rights and Civil Liberties (CRCL)

TO: T. A. Dickerson
Director
Office of Civil Rights (OCR)
United States Coast Guard (USCG)

Subj: USCG OCR Program Review Report

I am writing to inform you I have reviewed the report prepared by the contract firm of Booz Allen Hamilton, documenting its findings from the program review it recently conducted on the USCG's OCR at the end of calendar year 2008. The following information summarizes my observations from reading this report.

1. On April 25, 2008, the Director of the USCG OCR contacted the U.S. Department of Homeland Security's (DHS) CRCL to initiate a complete and independent review of the USCG Civil Rights program. In September 2008, the USCG OCR retained Booz Allen Hamilton to conduct the program review after receiving direction from CRCL, and the Director, USCG OCR, had no involvement in directing or influencing the manner in which the program review was conducted. The program review occurred over a 90-day period, and Booz Allen Hamilton provided the results of the report to CRCL for review and comment at the end of this 90-day period. After CRCL provided comments on January 12, 2009, Booz Allen Hamilton finalized the report on February 5, 2009, and the report was presented to Vice Commandant Vivien Crea on February 9, 2009.
2. After reviewing the report, I have concluded the report is comprehensive, well-prepared, and contains significant findings and recommendations on improving internal planning, operations, organizational structure, staff competencies, and records management. The report considered numerous criticisms of the USCG OCR, posted to a prominent unofficial blog not endorsed by USCG, and determined some of the content to be false and inaccurate, including erroneous assertions that the Director, USCG OCR did not possess requisite knowledge and experience and was responsible for the departures of OCR staff. The report clearly and thoroughly presents an analysis of the USCG civil rights program, provides supporting documentation, and sets forth specific action items to address identified areas for improvement.

3. With respect to the recommendations listed in the report, I strongly encourage USCG to consider implementing key activities which will substantially improve the USCG civil rights program, including: finalizing an OCR strategic plan; dedicating additional funding and staff to OCR; conducting an OCR staff competency assessment to identify skill and knowledge gaps; securing expert training to improve OCR staff competencies; conducting an OCR workload and process analysis to identify and implement appropriate process improvements; developing and enhancing OCR Standard Operating Procedures in all office functional areas (including records management) and communicating them to all staff; and centralizing the command of field operations under the direction of the Director, USCG OCR.
4. I am satisfied with the methodology utilized by the Booz Allen Hamilton program review team and I support the recommendations set forth in the program review report. The report recommendations are based on sound management practices and will assist the USCG OCR to effectively perform its mission to support USCG operations.

Thank you for your attention to this memorandum. CRCL continues to offer support to the USCG OCR in our common effort to promote civil rights and civil liberties at DHS, and I look forward to providing any possible assistance to implement the recommendations for improvements outlined in the USCG OCR program review report.



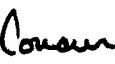
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25 April 2008

MEMORANDUM

From: 
T. A. Dickerson
COMDT (CG-00H)

Reply to
Attention of: CG-00H

To: Carmen H. Walker
Deputy and Director, Equal Employment Opportunity Programs
Department of Homeland Security

Thru: VADM Robert J. Papp, Jr. 
Chief of Staff

5 MAY 2008

Subj: ASSESSMENT OF COAST GUARD OFFICE OF CIVIL RIGHTS

1. This letter requests a review to assess the overall state of the Coast Guard's Office of Civil Rights. Coast Guard authorizes DHS to inquire into the particular focus areas summarized here, and any other area you believe is critical to a comprehensive assessment. At the conclusion of this work, Coast Guard requests a written report that provides findings, recommendations, optimal practices, and proposed courses of action. Coast Guard also would like subject matter experts at the Defense Equal Opportunity Management Institute (DEOMI), and the Equal Employment Opportunity Commission (EEO) to review the assessment and offer comments before the work is final.
2. We request a comprehensive review and evaluation to determine the extent to which the structure, policies, procedures, and personnel of the Office of Civil Rights are meeting Coast Guard's equal opportunity missions, and whether it performs in accordance with the Equal Employment Opportunity Commission (EEOC) regulations set forth at 29 C.F.R. Part 1614; EEOC's MD110 and MD 715; the Coast Guard Equal Opportunity Manual, COMDTINST M5350.4.B (EOM) and the Uniform Code of Military Justice (10 U.S.C. Chapter 47). While your review should address our entire Civil Rights program, we request that it address specifically the structure, policies, procedures, and personnel of my headquarters directorate that leads the program. In particular, please assess the office climate and its cause and effects; whether and to what extent it engages in productive activities that enhance our Civil Rights mission; and whether its personnel, including me, adhere to the Coast Guard values of honor, respect, and devotion to duty. Please specifically examine whether our personnel, including me, safeguard official information and ensure the confidentiality of information contained in EO/EEO case files and ensure an environment free of harassment.
3. A program assessment in 2002 recommended that CG/OCR reduce the Headquarters staff by one billet to be converted to a field billet; it implemented this change in 2004. (The person occupying the Headquarters billet retired in 2008.) The 2002 assessment also proposed adding a Military Equal Opportunity program specialist. It led to a recommendation to begin standing up full time civil rights personnel in the field. Some of the field positions were filled, but others

25 April 2008

were not. Today, Coast Guard employs 27 full-time CRSPs in the field. An additional 40 or so personnel fulfill collateral duty roles as counselors and advisors. Collateral duty personnel receive pipeline training which varies widely. Field staff do not report directly to Headquarters, but to local commands (although they will report to Headquarters if the pending transformation of the Coast Guard proceeds). In addition, outreach functions (one billet and funding) were transferred to the Assistant Commandant for Human Resources.

4. During a period of about 19 months, Coast Guard had no Director for its Civil Rights program and a Coast Guard Captain served as acting director. This was brought on by the departure of the preceding Director in September 2004. An office reorganization occurred in July 2005.

Foremost, the responsibilities for complaints, investigations and response were assigned to a team separate from any larger division. During this period, the staff liberally practiced telecommuting, since suspended by me. The office did not stage any civil rights conferences during this period and it did not establish data protocols and requirements from field personnel. Much of the responsibility for equal opportunity program reporting and compliance fell to a GS-14 Team Leader. A number of staff incidents in CG/OCR occurred during this period, one resulting in a physical altercation, and another necessitating a "do not contact" order. I was hired in April 2006.

5. The activities of the Coast Guard Office of Civil Rights, and I, have been the subject of extensive and persistent allegations and comment on web logs. These blogs address the internal management of the Office of Civil Rights, issues arising elsewhere in the Coast Guard, and individual Civil Rights complaints. Blogs report employee dissatisfaction that has allegedly arisen in the recent past. Last week, Coast Guard responded to a Congressional inquiry regarding related blog postings about employee attrition which my office will share with your investigator. I am particularly concerned that internal Civil Rights staff not be the source of information concerning individual Civil Rights complaints that would compromise privacy and chill aggrieved parties from raising complaints. While many of the allegations in these blogs are false, unsubstantiated, or misleading, I refer to them because they may alert you to issues you may wish to consider in your review and evaluation.

6. I propose that this review be conducted at the Coast Guard's cost, entirely under your supervision and direction, according to the following terms:

DELIVERABLES: Within 20 days of the completion of the review by the contractor, DHS/CRCL will draft an executive summary of the assessment, which may include additional recommendations; allow DEOMI and EEOC to review the executive summary and the report for additional comments. Within 14 days of receipt of responses from reviewers, DHS/OCRCL will provide a report to CG/OCR consisting of: a one-page executive summary; a report of findings; and recommendations.

COST: Coast Guard will pay costs associated with hiring a contractor to perform support functions necessary for this review.

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OTHER: Coast Guard will provide space as required by the contractor in performing this review. DHS/OCRCL will direct any contractor activities associated with this initiative. The Director of Civil Rights will coordinate support requests from DHS/OCRCL.

TD 7 10. Please let me know if I can provide more information to you. I look forward to obtaining your assistance in this endeavor.

#

Enclosure

Booz | Allen | Hamilton

United States Coast Guard Office of Civil Rights

Program Review

February 5, 2009

Prepared By

Booz Allen Hamilton

SUBMITTED TO:

**United States Coast Guard
Office of Civil Rights
2100 Second Street, SW
Washington, DC 20593-0001**

NOTE: This document is FOR OFFICIAL USE ONLY (FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (Title 5 U.S.C. §552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with United States Coast Guard policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized United States Coast Guard official.

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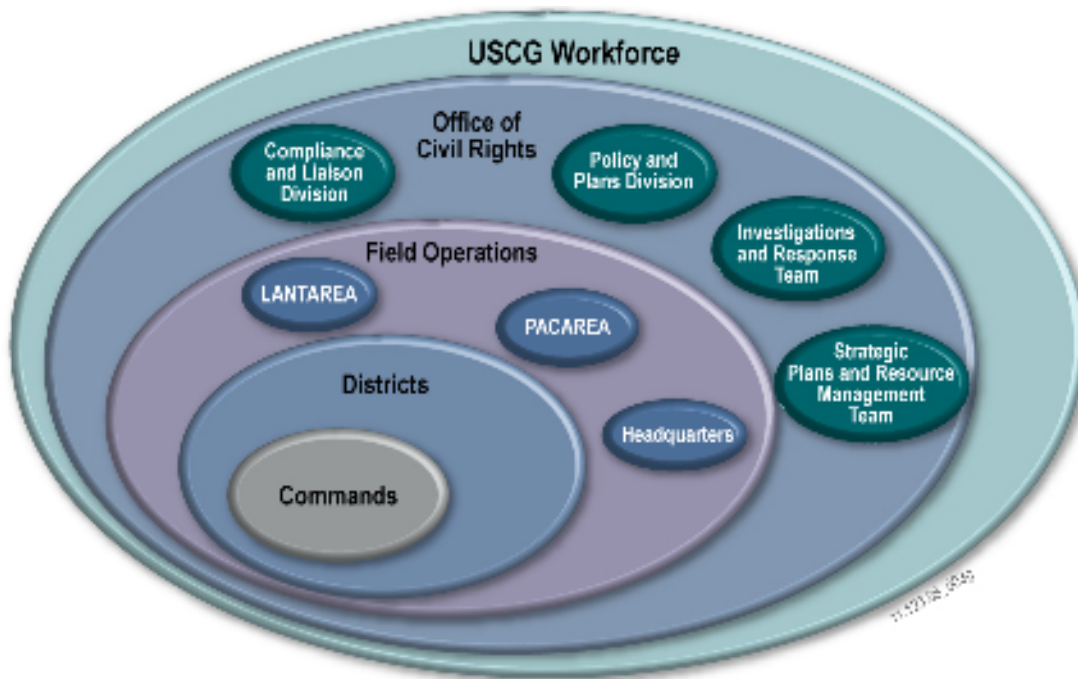
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1. INTRODUCTION

1.1 BACKGROUND

The United States Coast Guard (USCG), Office of Civil Rights (OCR) is regionally divided into three “Areas” reporting to Area Commanders – LANTAREA, PACAREA, and Headquarters, which have jurisdiction over the entire 50 states and territories. OCR carries out national-level activities and reports to the Commandant. As of 2007, the USCG military and civilian workforce was composed of 48,094 employees – 40,698 military personnel and 7,396 civilian personnel.¹ OCR’s purview of responsibility includes USCG employees, as well as USCG customers and applicants for employment. Thus, OCR’s operations and activities affect a multitude of stakeholders as shown in Figure 1 below.

Figure 1 – Universe of U.S. Coast Guard, Office of Civil Rights, Stakeholders



The mission of the USCG OCR is “to foster and maintain the model workplace in support of mission execution.” The USCG OCR carries out its mission by upholding federal laws, policies, and guidelines prohibiting discrimination in employment against USCG personnel, applicants for employment, and those receiving services or benefits from programs sponsored by the USCG. OCR also provides policy and oversight for equal opportunity, affirmative employment, training and human resources activities, as well as advisory and consulting support to internal and external customers.

¹ See “US Coast Guard Snapshot” at http://www.uscg.mil/top/about/doc/uscg_snapshot.pdf (last accessed February 4, 2009).

In addition, OCR espouses Five Field Civil Rights Missions that delineate the civil rights objectives for Field locations:

- Demonstrate command leadership;
- Develop an organizational culture that values diversity;
- Correct civilian workforce imbalances;
- Resolve complaints at the lowest level; and
- Promote affirmative outreach in the community.

1.2 PURPOSE AND SCOPE

In September 2008, the USCG retained Booz Allen Hamilton (hereinafter “Booz Allen team”) to conduct a “top to bottom review and evaluation of the United States Coast Guard’s Office of Civil Rights program.” The specific task was to conduct an assessment of the current state and to provide findings and recommendations. Additionally, the Booz Allen team was directed to analyze the risks and weaknesses of security and the safeguarding of information and to examine the policies, processes, and procedures in place to safeguard and ensure the confidentiality and privacy of information.

The primary goal of this Program Review was to assess the current state of OCR and the USCG civil rights organization and to determine the appropriate next steps required for the organization to be a highly functioning entity within the USCG. Also, the Booz Allen team sought to identify organizational challenges that may affect the productivity of the civil rights program and to identify areas for organizational change that would enable OCR to increase its overall efficiency and effectiveness.

In addition to the “top-to-bottom review,” the Booz Allen team examined website pages (blogs) where OCR has been the subject of persistent allegations. It was noted that general comments and congressional inquiries had been based on these blog entries, which have pertained to allegations regarding OCR senior management, operations, personnel activities, core business activities, and ongoing discrimination complaints.

In conducting this Program Review, the Booz Allen team reviewed the functional elements of the OCR civil rights program, including its structure, policies, and procedures, as well as the processes that are in place to safeguard official information and ensure the confidentiality of information contained in complaint files. The Booz Allen team also considered any available performance measures, all applicable civil rights laws and regulations, and the USCG’s overarching mission. This process also afforded internal and external stakeholders an opportunity to provide the Booz Allen team with insights about perceived organizational strengths and weaknesses and opportunities for improvement. An additional consideration during this Program Review was the impact of recommendations on OCR’s current and future alignment with the forthcoming USCG Modernization. Although the Program Review activity

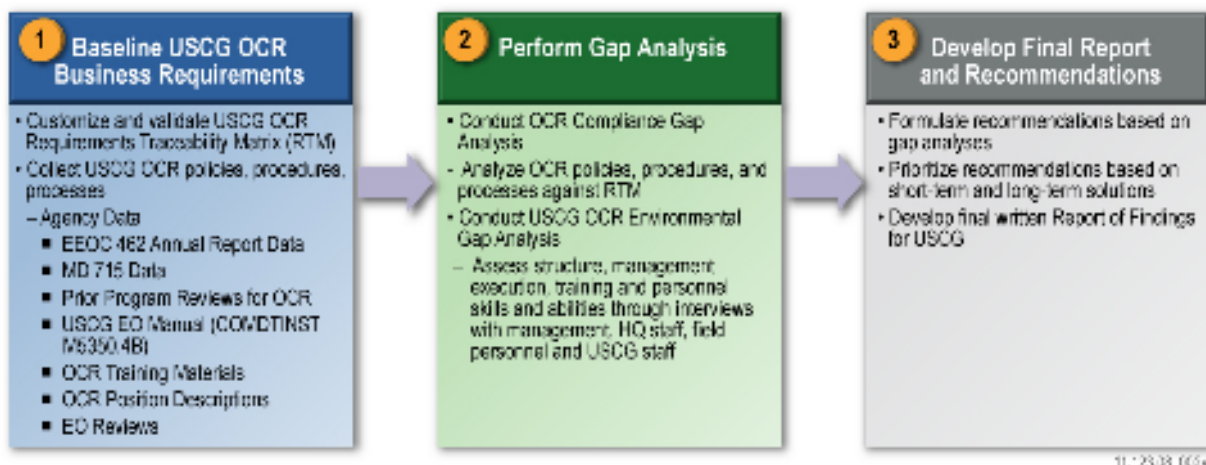
was initiated by USCG, this Final Report was reviewed by the Department of Homeland Security's (DHS) Office of Civil Rights and Civil Liberties and incorporates comments provided by that office pursuant to the Performance Work Statement requirements.

The key findings contained in each section of this Final Report provide a “snapshot” of the principal issues and themes determined during the assessment process. These findings are based on the analysis of documents received from OCR and other USCG entities; observations made by the Booz Allen team; interviews with key Field position incumbents at Headquarters, LANTAREA, and PACAREA; and conversations with a variety of other stakeholders.

1.3 APPROACH

During the course of this analysis, the Booz Allen team employed a three-step process through which the team: (1) worked with senior client leadership to baseline and validate agency requirements in the form of a requirements traceability matrix (RTM); (2) conducted a gap analysis by gathering data through interviews and data requests, and using baseline documentation to identify compliance gaps and environmental risks; and (3) developed a Final Report with specific, measurable, action-oriented, realistic, and time-bound (SMART) recommendations. Throughout the baseline analysis and evaluation, the Booz Allen team considered the principles of the Equal Employment Opportunity Commission (EEOC), Management Directive 715 (MD-715), which describes the basic elements necessary to create and maintain a Model EEO Program, 29 Code of Federal Regulations 1614 (29 C.F.R. 1614), and other relevant laws and statutes.

Figure 2 – Booz Allen Gap Analysis Methodology



Upon completion of data collection and analysis, the Booz Allen team constructed scenarios describing the current state and desired future state for all elements and components within the scope of the Program Review. While the current state scenarios

were based on actual OCR performance data, the future state scenarios and recommendations were based on organizational effectiveness best practices, EEO policy domain knowledge, OCR vision and mission statements, and specific knowledge of OCR's strategic intent.

Following data collection and analysis, the Booz Allen team compared the attributes of the current state to the future state to identify gaps. The resulting gap analysis became the basis for the findings and conclusions leading to the recommendations. The recommendations presented are directed toward creating an organization with the necessary strategy, structure, processes, metrics, and competencies to realize the OCR vision—that is, “[t]o be the conscience, champion, and advocate for a Coast Guard workforce that reflects the labor force and values differences among individuals so that all members of Team Coast Guard may reach their fullest potential.”

1.4 DATA REQUIREMENTS

At the outset of the assessment process, the Booz Allen team presented OCR with a comprehensive strategy to collect, compile, analyze, and summarize both qualitative and quantitative data so that valid and significant conclusions could be drawn.

In order to conduct a robust review of OCR's current state and effectiveness, the Booz Allen team requested a variety of documents and records. Where discrepancies were observed between data received directly from OCR and data obtained by other means, the Booz Allen team requested clarification from OCR and based its analysis on the information received thereafter from OCR. When there was no response, the Booz Allen team drew conclusions from the data presented.

1.5 STAKEHOLDER INTERVIEWS

The first objective was to identify internal and external stakeholders. These individuals were chosen because of their knowledge of the indicators of organizational effectiveness and efficiency that include—

- How OCR is organized;
- How OCR is governed and managed; and
- The laws, statutes, regulations, and policies for which OCR has oversight and enforcement responsibilities.

The Booz Allen team developed an interview protocol that was reviewed and approved by OCR senior staff. Thereafter, more than 70 interviews were conducted with current and former Coast Guard employees to obtain information relative to a historical perspective on OCR, the skills and abilities of civil rights personnel, the relationship of OCR to other USCG units, Field operations, budget and financial data, OCR climate, and OCR organizational capabilities. All participants were assured of confidentiality

during the interview process. Results were aggregated so that no one individual's responses were identifiable or attributable.

2. MANAGEMENT EXECUTION OF EEO RESPONSIBILITIES

2.1 BACKGROUND

According to data provided by OCR, the office is composed of 22 full-time civilian and military Civil Rights Service Providers. Additionally, approximately 29 Field-level personnel are located in, and answerable to, local commands, and approximately 40 collateral duty personnel are located at various commands and other locations. A significant portion of the full-time Civil Rights Service Providers are military personnel. As an example, of the 22 billets assigned to OCR, 5, or 22.7 percent, are allotted to military personnel. This is significant for two reasons. First, these military personnel are assigned to critical functions within the office and often enter with minimal, if any, previous EEO/civil rights experience. Second, because the military personnel are on a 2-year tour of duty, they often leave their post just as they are becoming oriented to the position. Thereafter, new military personnel, including the Deputy of OCR, must be trained.² Although the military personnel add tangible value during their tours with OCR, the institutional knowledge that is lost when they leave bi-annually is significant and affects the organization.

In addition to Civil Rights Service Providers, there are also Points of Contacts in the Field designated to receive and respond to civil rights concerns presented. The background of the Points of Contact varies widely. Some are Civil Rights Service Providers with significant complaint processing experience, and others are collateral duty personnel (i.e., Collateral Duty Civil Rights Officers) who have minimal, if any, prior civil rights experience and have received limited training instruction.

2.2 REPORTING RELATIONSHIPS

In recent years, several leadership changes have occurred within the OCR organization. In September 2004, the former Director of OCR, [REDACTED], retired after approximately 25 years in the position. For 19 months thereafter, there was no Director in place, and the OCR organization was managed by a military Deputy, Captain Jack Smith. A new (and the current) Director, Terri Dickerson, was hired in April 2006.

In terms of organizational structure, the Director of OCR reports directly to the Commandant, pursuant to 29 C.F.R. 1614, which requires that agency directors report to an "Agency Head." At OCR, a military Deputy (2-year assignment) reports to the Director as does a Program Specialist. There is, however, no senior civilian position that reports directly to the Director. Four OCR Division Directors/Team Leaders report

² See Appendix A—United States Coast Guard, Coast Guard Personnel Manual, Chapter 4.A., (Tour Lengths).

to the military Deputy (Compliance and Liaison, Investigations and Response, Policy and Plans and Strategic Plans and Resources).³

With respect to the Field operations, the Commanding Officer is considered the senior EO Officer for the particular command. Field Civil Rights Service Providers report directly to the commands and not to OCR. Area Equal Opportunity Managers do not have supervisory authority over the Field Civil Rights Officers working in regions that fall under their purview and for which they are responsible. With respect to hiring, OCR handles the hiring of its internal positions. However, Field Civil Rights Service Providers are hired by the command to which they will report. As such, the Field Civil Rights Service Providers report directly to Field Commanders and not the OCR Director.

2.3 CURRENT STATE

The principal role of leadership is to articulate and communicate a vision for the organization and to direct an organization toward its objectives. USCG requires substantial activity from its executives, including the Director of OCR. In addition to the oversight of civil rights activities, the Director travels extensively and represents OCR and USCG in an array of official activities. Optimally, this senior executive performs at a strategic level and represents OCR's interests and perspectives to leadership as well as other high-level entities. However, in this instance, the Director is also involved in day-to-day operational activities such as editing and augmenting work products generated by senior staff, preparing briefings, revising ALCOASTs and performing analysis on statistical information received within the office such as MD-715 related data.

The Booz Allen team verified that the condition of work products prepared by subordinate staff for the Director's approval routinely needed attention not normally required from the executive level. Without the Director's involvement, it was observed that work products are often submitted that contain typographical errors, formatting inconsistencies, grammatical errors, and limited analysis. To the extent that analysis is involved as part of a work product, it generally originates from the Director, the Deputy or, two of four managers.

The Booz Allen team was provided with a strategic plan which appears to be a working document. The MD-715 Report coordination and preparation process serves as one mechanism for strategic planning. Toward that end, quarterly meetings are held to bring together stakeholders to discuss milestones and strategies going forward. The Director's strategic plan was presented to leadership, subject to changes resulting from

³ It is noted that Captain Bart Kolb, Deputy Director, retired in January 2009, (after completion of this 90-day Program Review). The Deputy function is currently being performed by ██████████ in an acting capacity. References to "Deputy" or "Deputy Director" refer to the time period prior to Captain Kolb's resignation.

recommendations contained in this Program Review. The Team Leader of the Strategic Plans and Resources Management Team was asked to play a lead role in finalizing the strategic plan. However, it was ultimately the Director who finalized the Strategic Plan. Only a small number of interviewees indicated that they understand the vision, business goals and key success indicators of OCR. However, a plan is in place to brief managers and Field personnel on the current Strategic Plan.

2.4 SOCIAL MEDIA AND BLOG ACTIVITY

The USCG demonstrates its priority for disclosure and transparency through the use of social media. One such mechanism is *iCommandant*, a web journal through which the Commandant disseminates information and messages to the USCG workforce. This interactive platform also enables viewers to ask questions and remain engaged as the USCG undertakes its Modernization effort.

The activities of the USCG civil rights organization have been the recurring subject of allegations on other website pages—in particular, the *Coast Guard Report*, an unofficial blog not endorsed by USCG.⁴ For example, this particular blog contains negative assertions about OCR operations, allegations about the Director of OCR, and other criticisms of OCR's business processes. While the limited scope of this Program Review prevented a full examination of the myriad references to the Director and the civil rights organization at-large, the Booz Allen team confirmed that some of the content posted to the *Coast Guard Report* blog was false and inaccurate. Some examples follow:

- 1) The blog asserts that 17 individuals have left the USCG civil rights organization as the direct result of dissatisfaction with the Director of OCR. With respect to this list of 17 individuals published on the *Coast Guard Report*, allegations that the Director of OCR is directly responsible for attrition of the Field Civil Rights Service Providers included on this list are inaccurate because the Field Civil Rights Service Providers are hired by the commands and report directly to a Field Commander and not the Director of OCR. Consequently, the Director did not have hiring/firing authority over the Field Civil Rights Service Providers identified.
- 2) The blog site suggests that although invited, the Director has not visited commands. The Booz Allen team has verified that the Director has visited a wide variety of commands, including cutters, air stations, districts, sectors, and small boat stations. She has also inspected duty stations and flown on aircraft.
- 3) The blog site reported that OCR submitted the MD-715 Report, submitted annually to DHS, absent receipt of all Field reports and input from the Areas. The Booz Allen team has determined that on the day that this item was posted

⁴ See <http://www.coastguardreport.org> (last accessed February 4, 2009).

on the *Coast Guard Report*, the OCR staff was still working on the MD-715 Report, in preparation for review by the Director.

- 4) The blog site has suggested that the Director does not possess the requisite civil rights knowledge and experience to hold the position of Director. A review of information provided indicates that the Director has supervised commensurate staffs and has conducted full reviews of EEO offices. The Booz Allen team has also verified elements of the Director's background. It is also noted that the Director was vetted through interviews by USCG and DHS, and, as with other members of the Senior Executive Service, a contract firm conducted a full background check.

The assertions and allegations contained on the blog site have prompted myriad inquiries and requests for clarification—both internal and external. The record reflects that the Director and Deputy Director have spent significant time developing and providing responses for USCG leadership to assertions and allegations against the Director and OCR operations appearing on blog sites. Of note is that the Coast Guard Investigative Service conducted an investigation of allegations of wrongdoing against the Director that were contained on the *Coast Guard Report* blog. Upon completion of the investigation, the Coast Guard Investigative Service cleared the Director of any wrongdoing.

Both OCR and USCG leadership have responded to the blog site activity using varying means. For example, on November 4, 2008, USCG released ALCOAST 548/08, which delineated the responsibilities of USCG personnel who post content on the Internet regarding the USCG and possible disciplinary action in the event of unauthorized postings.⁵ The Director of OCR conceived a publication, *Our Space*, which addressed inaccurate blog entries and misinformation posted, and cautioned civil rights personnel regarding disclosing privacy-protected EEO records. The Director prepared at least one summary DIGEST for her chain of command.⁶ Beyond these activities, there have been few, if any, direct refutations of the factual accuracy of content contained on the blog or official and specific acknowledgment of inaccurate information posted.

OCR has undertaken other initiatives such as "News" on its website to present a more accurate picture of the office and its functionality.⁷ Although this serves as an effective means by which to communicate civil rights related information, the record reflects that the sustainment of this activity falls on the Director and Deputy Director because they are the only ones who have written or offered material for this activity.

⁵ See Appendix B—U.S. Coast Guard, ALCOAST 548/08, COMDTNOTE 5700, SUBJ: Social Media—Unofficial Internet Posts, November 4, 2008.

⁶ See Appendix C—United States Coast Guard, CG-4229, DIGEST, *Blog Postings about CG Civil Rights Program*, February 8, 2008.

⁷ See <http://www.uscg.mil/hq/cg00/cg00h/News/News.asp> (last accessed February 4, 2009).

2.5 OCR/FIELD COORDINATION

The Booz Allen team observed a disconnection between OCR and the Areas/Districts, which was confirmed during interviews with both OCR staff and Field Civil Rights Service Providers. Furthermore, information received during this Program Review indicates that communication is more difficult than necessary between OCR and Field Civil Rights Service Providers. The observed disconnection appears to be a function of the overall USCG civil rights organizational framework through which the Field Civil Rights Service Providers report directly to their respective commands rather than to OCR. The diffused nature of Civil Rights Service Providers locations dilutes field communication and interaction with OCR.

During interviews, some Field Civil Rights Service Providers suggested that there is minimal communication and interaction with OCR. However, documentation provided to the Booz Allen team demonstrates that during Fiscal Year 2008 (FY08), OCR conducted structured teleconference calls with Field Civil Rights Service Providers. OCR also hosted three offsite training and development conferences for Field Civil Rights Service Providers at which the Director was present and, in some instances, chaired the conference. Many who attended these conferences reported that they were both productive and worthwhile activities that afforded considerable opportunity for field personnel to engage with OCR staff directly. Information received also indicates that ongoing OCR responds to and initiates numerous e-mail inquiries from Field personnel, and has participated in numerous conference calls with Field personnel. It was also reported by Field Civil Rights Service Providers that certain Area Equal Opportunity Managers have specifically instructed the Field Civil Rights Service Providers not to directly communicate with OCR and, instead, to channel all OCR inquiries through the Area Equal Opportunity Managers.

Some members of the senior staff reported a lack of teamwork among the senior staff and the Director although there appear to be many opportunities to engage as a team. For example, OCR conducts weekly senior staff meetings and “all hands” meetings on at least a monthly basis. In addition, there are other intermittent meetings between the Director, Deputy, and members of the senior staff. The Director and other members of the senior staff reported viewing weekly senior staff meetings as opportunities to brainstorm, present problems, share best practices, and stay informed about details of matters arising in other divisions. It was also reported however, that at times, the weekly staff meetings were protracted and unnecessarily long owing to the propensity of some participants to initiate conflict and disagreements and, as well, insist on disclosure and discussion of protected information or insist that others do so. Although senior staff meetings are intended to be confidential forums for information sharing, it was reported that some of the items raised at such meetings have subsequently been discussed (some out of context) on the aforementioned blog site.

With respect to business processes, throughout OCR's more than 30-year history, few of its business activities were explicitly defined over time. Consequently, execution often depends on individual efforts and interpretation. While some business processes have been introduced within the last 2 years, these efforts have not mitigated the problems associated with years of operating without comprehensive Standard Operating Procedures (SOP). Consequently, OCR has very few SOPs in place. During interviews, many Field staff indicated that they perform their duties on the basis of informal understandings, their own interpretation of 29 C.F.R. 1614, and their understanding of the associated functional requirements. This informal approach does not ensure a consistent standard of service and, therefore, does not engender performance accountability.

The SOPs that were provided to the Booz Allen team related to complaint processing procedures, and operational matters. The Policy and Plans Division had no SOPs for the Equal Opportunity Review process (EO Review) nor did the Compliance and Liaison Division offer any for Affirmative Employment activities. The Booz Allen team observed that SOPs, to the extent that they do exist, are contained in files on shared drives within the various divisions/teams and are not accessible to others or available to all personnel.

2.6 EQUAL OPPORTUNITY MANUAL

The Equal Opportunity Manual was published for the first time in 2005 under acting leadership to serve as the guiding document for enterprise-wide civil rights operations. This was a significant step toward providing standard guidance for civil rights activities because no such document had ever been issued in OCR's entire history. While this was a positive step forward for providing cohesive guidance, the Equal Opportunity Manual contains some flaws and lacks specificity for effectively implementing OCR policy. (The Equal Opportunity Manual will be discussed in greater detail throughout this document.)

Since the original publication of the Equal Opportunity Manual in 2005, the OCR staff has identified necessary corrections and updates that have arisen. In January 2008, the Director assigned two senior staff (Chief, Compliance and Liaison Division, and Chief, Policy and Plans Division) to a Temporary Working Group with a 100-day duration to rewrite the Manual, with all other day-to-day duties and responsibilities being reassigned to others within the office. (The Equal Opportunity Manual update assignment was previously assigned to the Policy and Plans Division in 2006 and 2007 but was not carried out in the previous two cycles.) The aforementioned Working Group was to complete the update in April 2008. However, the Working Group requested and received extensions for work, which concluded in August. Based on a subsequent review of the Working Group version of the Manual by Area/OCR senior staff, it was determined that additional revisions were required, which are ongoing.

The Temporary Working Group was also tasked with additional policy development activities that were not completed.⁸

2.7 KEY FINDINGS

- **Organizational Framework:** The current organizational structure of the USCG civil rights organization is diffuse and lacks the organizational accountability achievable from a cohesive, centralized reporting structure. The current structure enables Areas/Districts to implement individualized approaches to, and interpretations of, 29 C.F.R. 1614, Management Directive 110, and other relevant laws and statutes, rather than conforming to an enterprise-wide SOP. This decentralized approach also has resulted in inconsistent policy application and lack of uniformity, as has been stated in past “top-down” reviews of the office.
- **Organizational Framework:** The USCG civil rights organization is decentralized, thereby enabling Areas/Districts to operate autonomously with limited interaction with and oversight by OCR.
- **Strategic Planning:** The Booz Allen team received a strategic plan that is considered a working document. A plan is in place to brief and offer guidance to managers and Field personnel on the overall plan.
- **Strategic Planning:** None of the four operating units within OCR have formal strategic plans in place that would feed into the overall OCR strategic plan.
- **Social Media and Blog Activity:** Assertions and allegations about OCR operations and leadership posted on unendorsed blog sites have prompted internal and external inquiries concerning the validity of such assertions and allegations. This has resulted in the Director and Deputy Director devoting significant time to providing the required responses.
- **Social Media and Blog Activity:** Assertions on the blog that the Director of OCR is directly responsible for attrition of Field Civil Rights Service Providers are misplaced because the Field Civil Rights Service Providers are hired by the commands and report directly to a Field Commander and not to the Director of OCR.

⁸ In addition to Equal Opportunity Manual revisions, the Temporary Working Group was charged with “[Undertaking] a cross-cutting review and evaluation of policies and organizational practices...[In addition] the Working Group shall conduct a comprehensive internal review and analysis of those existing policies identified for revision or update, and reach out to both Coast Guard governmental partners to obtain relevant recommendations and, where applicable concurrence.” (See Memorandum: “Office of Civil Rights Temporary Working Group on Policy,” dated January 28, 2007.)

- **Equal Opportunity Manual:** The Equal Opportunity Manual lacks specificity. Based on a review by Area/OCR senior staff of the draft prepared, it was determined that additional revisions were required, which are ongoing.
- **Equal Opportunity Manual:** The Booz Allen team was not able to determine the reasons that the Equal Opportunity Manual produced in 2005 was deemed insufficient. The team has reviewed the draft update produced by the Working Group and has concluded that it is not sufficiently detailed and needs to be augmented by, and synchronized with, SOPs.

3. PRIVACY AND RECORDS MANAGEMENT

3.1 BACKGROUND

The Booz Allen team recognizes that OCR has a significant responsibility to ensure the privacy, confidentiality, and integrity of Personally Identifiable Information (PII) generated through the investigative process and equal opportunity program activities. The failure to establish and maintain strong PII controls can lead to data vulnerabilities and have a significant impact, including potential fines and penalties, congressional scrutiny, and agency embarrassment.

An effective privacy and records management strategy safeguards against the improper exposure of sensitive data. An effective strategy will also help to ensure that sensitive data in electronic or paper form is accessed and viewed only by appropriate personnel who have a “need to know” the information contained in those particular records. Such a strategy generally includes processes for the secure handling, retention, and disposition of personal documents.

In June 2007, DHS issued a Memorandum (*Review of Safeguarding Policies and Procedures for Personnel-Related Data*) to all component leadership within DHS. This memorandum instructed each component to ensure that policies and procedures to safeguard PII are in place and fully implemented.⁹

In response to this memorandum, USCG established the “Cross Functional CG Privacy Team” to review, identify, and analyze paper-based and information technology related systems, programs, and facilities containing personnel-related data. This team completed the DHS Self Assessment for Personnel-Related Data and ensured that all employees with access to personnel-related data have taken the mandated privacy and security awareness training.

3.2 CURRENT STATE

The Booz Allen team has determined that much of the handling of documents varies as a function of command practices and is not conducted in a prescribed and standardized manner. In addition, files containing PII were observed unattended and unlocked at Field locations, although it was noted that there is limited storage space for complaint files. The lack of a comprehensive strategy that prescribes uniform and secure management of sensitive data exposes employees and the agency to increased risk with respect to disclosing personnel-related and complaint-related information. The topic of

⁹ See Appendix D - Department of Homeland Security, MEMORANDUM, SUBJ: *Review of Safeguarding Policies and Procedures for Personnel-Related Data*, June 13, 2007. Each Component Head was instructed to: 1) Convene a Component-level cross functional review team to conduct a self-assessment of the handling of personnel-related data, 2) certify that all employees with access to such data have taken mandated privacy and security awareness training, and 3) implement the “Updated DHS Policies and Procedures Regarding the Handling of Personnel-Related Data.”

privacy was, however, addressed during a meeting which the Director held at the Defense Equal Opportunity Management Institute earlier this year and, again at the annual civil rights conference during which an EEOC Administrative Judge offered a presentation on privacy.

Recent postings on the aforementioned blog site indicate that sensitive and confidential information has been disclosed in a manner inconsistent with an effective privacy and records management strategy. In addition, the blog site has, in some instances, included information on ongoing complaints, which is to be considered confidential. Based on a review of blog content, it appears that improper disclosures of information regarding complaint activity has occurred and also that inconsistent privacy and records management programs are used and based on local practices and policies. A standardized and overarching policy and SOP would mitigate such disclosures. OCR has taken several steps to curtail the dissemination of PII and confidential information on blog sites, which has included the issuance of a publication (*Our Space*), the DIGEST entitled “Blog Postings about CG Civil Rights Program,” the initiation of a complaint investigation with USCG Investigative Service, and meetings with Area commands to share concerns regarding information that was inappropriately leaked.¹⁰

In addition to concerns about the lack of privacy protections for complaint files and PII, there are also concerns noted regarding the release of PII during the complaint process. For example, it has been noted that EEO Counselors who are new to the process have inappropriately released PII to Responsible Management Officials during the complaint process in violation of the Privacy Act of 1974. In addition, EEO Counselors have also provided Responsible Management Officials with information that the Responsible Management Officials are not necessarily entitled to – such as complaint files, specific information on allegations presented, and specific information concerning medical conditions alleged as the basis for a claim of disability discrimination. Additionally, it was reported that EEO Counselors are not properly redacting social security numbers and other personal information from information included with EEO Counselor Reports. There are additional concerns with the accessibility of the complaint management system, the EAGLE database, which houses data for all active/closed complaints. The specific concern presented is that EAGLE is accessible to people other than those who have a “need to know.”

There are also concerns that other entities within USCG request complaint information from OCR thereby disregarding privacy requirements that would prevent this release of such information. It is noted that such releases were formerly a longstanding practice and that recent changes in practice that disallow the release of protected records has been criticized on the *Coast Guard Report*.

¹⁰ See Appendix C – United States Coast Guard, CG-4229, DIGEST, *Blog Postings about CG Civil Rights Program*, February 8, 2008.

It should also be noted that the Equal Opportunity Manual contains language that may compromise the confidentiality of complaint records and that potentially may violate the Privacy Act of 1974. That is, “the RMO [Responsible Management Official] has the right to be provided a copy of the actual complaint and be notified of the names of witnesses.” (See Equal Opportunity Manual, 3-F-23, COMDTINST M5350.4B.) Neither 29 C.F.R. 1614 nor Management Directive 110 contain such a provision. Moreover, the guidance provided in that entire section (i.e., 3-F-23) is vague and does not provide a reader with a step-by-step process to determine whether the release of documents is appropriate.

3.3 KEY FINDINGS

- **Privacy Policy:** The 2005 Equal Opportunity Manual did not address and OCR does not have a formal privacy and records management policy reflected that would help to ensure the secure handling of sensitive information.
- **Privacy Policy:** There are no SOPs in place that address privacy protections or appropriate file-handling procedures to ensure the protection of PII.
- **Data Protection:** Civil Rights Service Providers have inappropriately released PII during the complaint process in violation of the Privacy Act of 1974.

4. PROGRAM ELEMENTS

4.1 COMPLIANCE AND LIAISON DIVISION

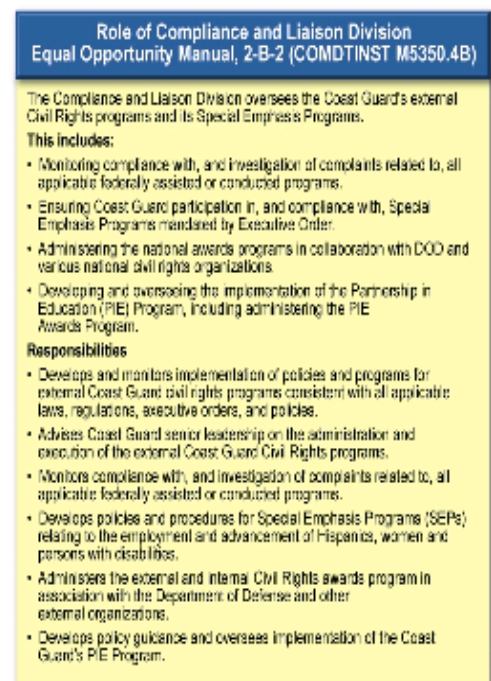
The Compliance and Liaison Division is administered by the Chief of the Compliance and Liaison Division (GS-15) and three other individuals – a Senior Equal Opportunity Compliance Officer (CDR), an External Compliance Manager (GS-14), and an Administrative Specialist (GS-9). Additionally, the Compliance and Liaison Division is responsible for implementing and overseeing the Affirmative Employment Program, Special Emphasis Program (SEP) management, and administration of external programs.

4.1.1 Current State

The Compliance and Liaison Division oversees the Affirmative Employment Program, which guides workforce analysis and recruitment efforts designed to ensure that qualified applicants from diverse groups are included in the recruitment pool for USCG vacancies. In addition, the Compliance and Liaison Division is responsible for processing complaints arising from grantees and entities receiving federal funds pursuant to the Title VI of the Civil Rights Act of 1964 (Title VI), although the receipt of such complaints is very rare.

4.1.1.1 Affirmative Employment

In its review of Affirmative Employment initiatives, the Booz Allen team determined during interviews conducted and data received that the Compliance and Liaison Division is charged to develop strategies that will effectively recruit, employ, and promote qualified members of EEO protected groups. Toward that end, the Division also is charged to coordinate with Human Resources (GG-12) and the Office of Diversity (GG-12B) to locate relevant information and data for reports required by various agencies that monitor and/or have an interest in special emphasis activities. While this appears to have been carried out, information provided to the Booz Allen team indicates that the execution of such activities required consistent involvement by the Director and Deputy Director (in the form of coaching, monitoring, and reminding). The Compliance and Liaison Division is also responsible for reviewing diversity and equal employment opportunity policies, programs, and practices to identify program deficiencies and eliminate barriers to equal employment opportunity. To a great extent, this activity appears to have been executed through telephone calls with the field. There were very few outputs presented (written



communications, reports, spreadsheets) by which the Booz Allen team could better verified the Division's role and impact.

4.1.1.2 *Special Emphasis Programs*

The Compliance and Liaison Division is charged with overseeing and implementing OCR's SEP as part of its Affirmative Employment activities.¹¹

Affirmative employment at USCG includes the following SEPs:

- Martin Luther King Jr. Holiday;
- National African American History Month;
- National Women's History Month;
- Asian Pacific American Heritage Month;
- National Hispanic Heritage Month;
- National Disability Employment Awareness Month; and
- National American Indian Heritage Month.

OCR communicates upcoming SEP observances through the release of ALCOASTs, which appears to be the Division's primary and most consistent work output. Information received during this Program Review indicates that draft ALCOAST messages frequently contain typographical and grammatical errors and also require additional context. A review of FY08 ALCOASTs indicates that of the seven SEPs noted above, at least five were not prepared with adequate time for approvals or timely release (that is, before the onset of the designated month) thus eliminating the USCG workforce's opportunity to sufficiently prepare for observances.¹²

SEP activities are implemented by Field locations but with little or no involvement by OCR because OCR is not responsible for the daily operations of Field SEPs. The SEP activities in the field consist primarily of cultural observances, which vary from food samplings consistent with a particular cultural observance to guest speakers at events designated to commemorate a specific occasion. Information gathered during interviews and also from Equal Opportunity Review Reports indicates that while special observance activities are occurring with some regularity in the field, the full spectrum of special emphasis activity is not occurring. More specifically, there is very little workforce analysis ongoing in the field or examination of barriers that may inhibit equal employment opportunity in the workplace. In many instances, the absence of SEP activity in the field (beyond special observances) was attributed during interviews to a lack of available resources in the field. While it was reported during interviews that OCR uses the Equal Opportunity Review process (EO Review) to verify that SEPs

¹¹ In accordance with the Equal Opportunity Manual, the Policy and Plans Division also affects SEPs in that it develops policies and provides guidance for Coast Guard-wide implementation of Affirmative Employment Programs.

¹² Source: OCR FY 2009 Strategic Plan.

are in place, there were no documents produced that would have confirmed the existence of formal or measurable reporting activities and/or processes by which the Compliance and Liaison Division gauges the success of SEP activities or similar accomplishments in the field.

The Equal Opportunity Manual describes the mandatory SEP elements for the commands, optional SEPs, and various outreach programs. (See Equal Opportunity Manual, 3-C-9 through 3-C-12, COMDTINST M5350.4B.) However, the Equal Opportunity Manual contains no guidance on the process for actual implementation of SEPs, performance measures that would enable the commands to assess the success of its SEPs, or a structured process for conveying the results of SEPs in the field to OCR. While some of these mechanisms may in fact exist, they are not delineated in the Equal Opportunity Manual, which is the governing document “for the operation of the Coast Guard Military Civil Rights and Equal Opportunity (EO) and Civilian Equal Employment Opportunity Program.”¹³ The absence of this guidance is important because SEPs in the field are primarily managed by Collateral Duty Special Emphasis Program Managers and others who have limited experience with, and understanding of, special emphasis activities and their purpose under MD-715.

4.1.1.3 External Reporting

The Compliance and Liaison Division is responsible for developing and evaluating plans, reports, and programs to comply with a variety of EEO laws, regulations, directives, and Commandant Instructions regarding affirmative employment.

The Compliance and Liaison Division also engages in external compliance activities designed to ensure that grant recipients comply with legal and legislative requirements pursuant to Title VI of the Civil Rights Act of 1964. Toward that end, the Compliance and Liaison Division is responsible for verifying that grant recipients have submitted assurance statements providing their intent to comply with all mandated legislative requirements. In the event an assurance statement has not been submitted or is in need of revision, the Compliance and Liaison Division contacts the recipient and requests that the assurance statement be submitted or revised. It is noted, however, that although a full-time resource is devoted to handling Title VI complaints received, such filings are rare.

Compliance and Liaison Division External Reporting Requirements	
✓	Asian American Pacific Islander Annual Accomplishment Report
✓	Department of Homeland Security Environmental Justice End of Year Report
✓	Disabled Veterans Affirmative Action Plan
✓	Environmental Justice Profiles and Boating Safety Recreational Grants Program
✓	Annual Performance Report to the President on Educational Excellence for Hispanic Americans
✓	Annual Performance Plan to the President on Educational Excellence for Hispanic Americans
✓	White House Asian American Pacific Annual Plan
✓	White House Asian American Pacific Annual Report
✓	Section 504 of the Rehabilitation Act of 1973, Subpart C (Transition Plan)
✓	Department of Justice Section 508 Compliance Survey
✓	Implementation of DHS Initiatives to Increase Employment of People with Disabilities
✓	Report on Requests for Reasonable Accommodations
✓	White House Environmental Justice Report to Council on Environmental Quality
✓	Annual Federal Performance Report on Executive Agency Actions to Assist HBCUs
✓	Annual Federal Performance Plan on Executive Agency Actions to Assist HBCUs
✓	White House Tribal Colleges and Universities Annual Summary Report
✓	White House Tribal Colleges and Universities Annual Summary Plan
✓	Information and Reporting Requirements for Agencies that Administer Federally Assisted Programs Subject to EO 12250

¹³ In accordance with Commandant Instruction M5350, November 1, 2005.

4.1.1.4 Awards Program

The Equal Opportunity Manual confers responsibility for the administration of the Equal Opportunity and Civil Rights Individual Awards to the Compliance and Liaison Division. This activity requires oversight of the awards program, the selection process, and the awards ceremony, which includes both individual awards and unit awards. Consistent with Commandant Instruction M5350.4B, OCR solicits nominations for the equal opportunity and civil rights individual awards via ALCOAST. The Chief of the Compliance and Liaison Division oversees this process. While feedback received from multiple stakeholders indicates that the awards program is highly regarded, it is noted that much of the work related to this activity is administrative in nature such as seating an evaluation panel, informing participants that they have been selected for award, writing ALCOASTs, and arranging logistics. Award winners are generally announced via ALCOAST, although in some instances, the postings have not been timely.



4.1.1.5 National Partnership in Education Program

Another program under the purview of the Compliance and Liaison Division is the National Partnership in Education (PIE) program, which encourages the cultivation of partnerships with educational institutions and strives to help achieve equal opportunity and generate career interest in the USCG. A review of the PIE program implementation indicates that it offers a wide variety of programs that are well received by both USCG personnel and students-at-large. The Equal Opportunity Manual identifies the oversight of this activity as a responsibility of the Compliance and Liaison Division. However, OCR reassigned this activity to the Director's office in 2007.

4.1.2 Key Findings

- **Operations:** Unlike most of OCR, the nature of work within the Compliance and Liaison Division occurs at regular intervals. ALCOASTs are drafted and issued for special observance months. The awards program is seasonal, commencing in May and concluding in September. Although the Division is responsible for complaints arising under Title VI of the Civil Rights Act of 1964, the receipt of such complaints is extremely rare.
- **Output:** The Compliance and Liaison Division shows few outputs and metrics by which its business impact can be evaluated.

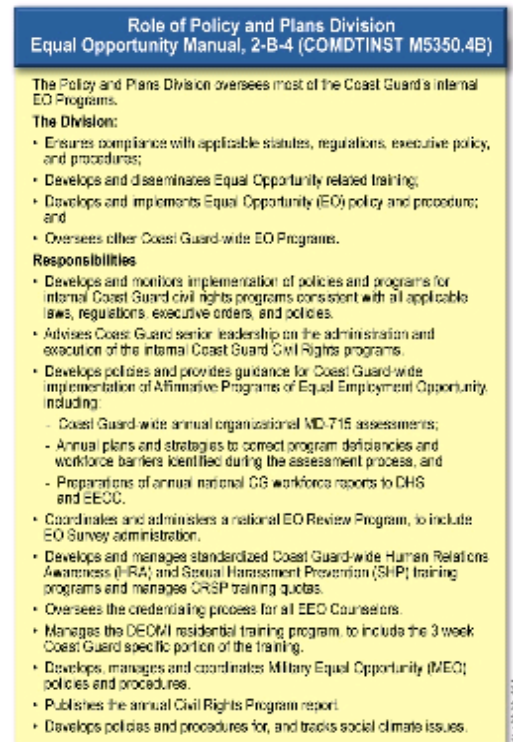
- **Awards Program:** The Equal Opportunity and Civil Rights individual awards program is highly regarded throughout USCG.
- **SEP Activity:** The structure and content of SEP activities varies among the Field locations and in many instances is limited to special observances only.
- **SEP Activity:** With respect to SEP activities, there is little indication of significant workforce analysis, identification of barriers/areas of under-representation, or how to address these activities – with the exception of activity surrounding data calls for the MD-715 Report.
- **SEP Implementation:** Although the EO Review process is used to determine whether SEPs are in place at Field locations, the EO Reports contain neither an indication of how the particular programs are implemented nor a measure of their success.
- **Guidance on SEP Activities:** OCR provides limited direction and guidance to the Field on special emphasis activities other than that articulated in the Equal Opportunity Manual. In addition, the Equal Opportunity Manual lacks sufficient guidance and specificity concerning the establishment and operation of SEPs at Field locations.
- **Resource Usage:** Based on a review of the Compliance and Liaison position descriptions and interviews, it appears that certain positions within the Compliance and Liaison Division are not fulfilling the full scope of their job descriptions and, instead, are performing work commensurate with a lower grade level (i.e., administrative tasks).
- **PIE Program:** The PIE Program is highly regarded throughout USCG and is well executed.

4.2 POLICY AND PLANS DIVISION

The Policy and Plans Division is led by a Chief (GS-15) along with five other resources, including a Workforce Analyses Program Manager (GS-14), Senior Military Equal Opportunity Officer (CDR), Instructional Systems Specialist (GS-13 – Vacant), Military Equal Opportunity Officer (LT), and Administrative Specialist (GS-9).

4.2.1 Current State

Among other duties, the Policy and Plans Division is responsible for overseeing EO Reviews, leads the preparation of the MD-715 Report, develops EO policies and procedures, and coordinates training activities for the civil rights organization. The Policy and Plans Division is also charged with developing policies, procedures, and guidance for implementing civil rights legislation, EEO laws and statutes, and Commandant Instructions and regulations. In addition, a member of the Policy and Plans Division currently serves as OCR's representative on the Commandant's Diversity Advisory Council—a group established to address workplace climate and diversity concerns at USCG. (Note: There is no specific requirement that this position be occupied by a member of the Policy and Plans Division.)



4.2.1.1 Management Directive 715

EEOC Management Directive 715 describes the basic elements necessary to create and maintain a “Model EEO Program” as follows:

- Demonstrated commitment from agency leadership;
- Integration of EEO into the agency's strategic mission;
- Ensuring management and program accountability;
- Proactive prevention of unlawful discrimination;
- Efficiency; and
- Responsiveness and legal compliance.

Pursuant to MD-715, OCR must complete a self-assessment to determine the extent to which its program meets Model EEO Program requirements. The Policy and Plans Division is responsible for leading the development of the MD-715 Report, which reports the assessment results and identifies barriers to equal participation in the workforce. A review of the 2006 and 2007 MD-715 Reports indicates that the Division prepares a MD-715 Report, the objective of which is to comprehensively address

accomplishments as well as areas for improvement. Of particular note are the Executive Summaries (Part E), which are robust and provide comprehensive information on affirmative employment activities. However, there is little indication of ongoing strategic analysis by the Policy and Plans Division to support the findings and next steps delineated in the MD-715 Report.

The development and compilation of the MD-715 Report requires coordination and input from the Policy and Plans Division and the Field. Interviews revealed that Areas and Districts do not receive the necessary source data from the Policy and Plans Division (some of which is obtained from DHS) to prepare comprehensive responses to data calls, and, in some instances, the analysis of critical data elements has had to be omitted from response because of a lack of source data provided by OCR. Another recurring concern presented was that the Areas often receive short time frames within which to provide OCR with requested content for the MD-715 Report. The Policy and Plans Division maintains that fourth quarter data (required for MD-715 preparation) comes from the Office of Human Resources and DHS and is sometimes received with minimal time remaining for analysis.

4.2.1.2 EO Reviews

A significant responsibility of the Policy and Plans Division is the implementation and oversight of the EO Review process. This activity uses a high percentage of the Policy and Plan Division's resources. According to the Equal Opportunity Manual, the purpose of EO Reviews is to accomplish the following:

- Determine unit effectiveness in implementing the Five Field Civil Rights Missions;¹⁴
- Identify best practices;
- Offer recommendations for improving the Command's EO program; and
- Identify areas that may require program-wide action.

(See Equal Opportunity Manual, 3-E-9, COMDTINST M5350.4B.)

The Director instituted a new requirement that EO Reviews be determined through the Equal Opportunity Review Schedule Justification process, which considers the following elements to identify units for review: Civilian/Military workforce demographics, geographical location, size and type of unit, previous needs identified, hate crime statistics, and noose incident locations.¹⁵ Regarding the review process, a 58-question survey with questions on potential equal opportunity inhibitors is sent to each unit in advance of the EO Review team's arrival onsite at the designated command

¹⁴ As noted previously, the Five Field Civil Rights Missions are: Demonstrate Command Leadership, Develop an Organizational Culture That Values Diversity, Correct Civilian Workforce Imbalances, Promote Resolution of Complaints at the Lowest Level, and Promote Affirmative Outreach in the Community.

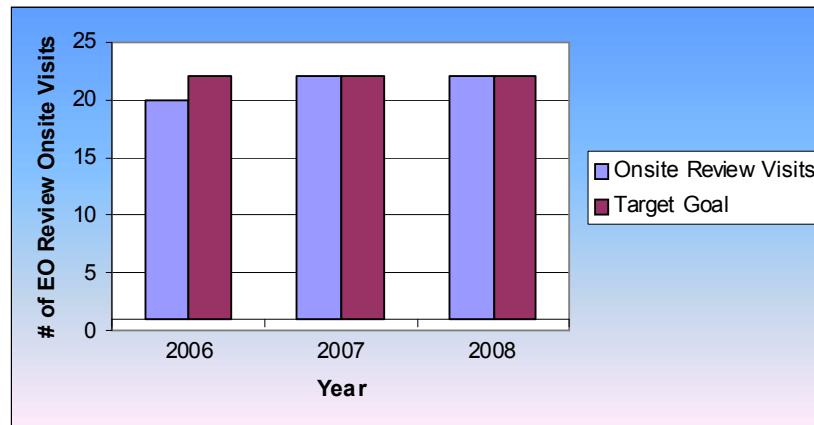
¹⁵ See Appendix E – Equal Opportunity Review Schedule Justification, January 30, 2008.

location.¹⁶ The onsite review process is composed in large part of focus groups. The primary purpose of the focus groups is the validation and elaboration of the survey results. On the final day of the EO Review, the team briefs the Unit Commander on findings and preliminary recommendations. Thereafter, a final EO Report is issued.

The Equal Opportunity Manual provides general information on the background, legal mandate, purpose, preparatory steps, process, and evaluation report for EO Reviews. However, it is noted that the Equal Opportunity Manual does not provide specific information on benchmarks by which a command will be measured. In addition, the Equal Opportunity Manual does not distinguish the process or procedures by which a large unit is assessed versus a smaller unit. This is important because the structure, population, and operations of small units and large units may differ. Also, in some instances, it may not be necessary to deploy the same size EO Review team to a smaller unit as to a larger one. (See Equal Opportunity Manual, 3-E-8 through 3-E-10, COMDTINST M5350.4B.)

According to the Director's Strategic Plan document, it has been determined that OCR has conducted EO reviews since 1997. Between 1997 and 2005, seven reviews or fewer were conducted each year. In 2005, the Policy and Plans Division undertook an annual goal of 22 EO Reviews, with 10 to be conducted by OCR and 6 by each of the Areas—that is, LANTAREA and PACAREA. This goal of 22 reviews was established by the Policy and Plans Division prior to the current Director's arrival at OCR. However, in 2006, the Areas were only able to conduct 7 EO Reviews as opposed to the targeted 12. As a result, OCR increased the number of EO Reviews it conducted to 15, as opposed to the targeted 10, to account for the difference. In 2007 and 2008, 22 EO Review onsite visits were successfully completed each year. The Booz Allen team is not able to determine the business justification for increasing the target goal to 22 EO Reviews annually nor was any information or data provided that would support or explain the rationale for such a decision.

¹⁶ See Appendix F—*United States Coast Guard Equal Opportunity Review Survey*.

Figure 3 – EO Review Onsite Visits (2006–2008)

EO Review Reports vary in length but generally are 10 to 12 pages with a significant portion consisting of boilerplate language. A review of EO Reports issued since 2006 indicates that they are high level, contain minimal substantive analysis, provide very few detailed recommendations, and lack specificity. A recurring theme throughout interviews was that the actual impact of EO Review Reports and the associated findings is minimal, and when useful information is provided, the units receive little to no guidance on how to implement corrective actions provided.

A review of drafts offered to the Director between 2006 and 2008 revealed documents needing focus and analysis, and containing typographical and grammatical errors and substantive inconsistencies. Consequently, the draft reports often required substantial changes before finalization. In March 2008, the Director developed and implemented a revised EO Review format that called for much-needed additional evaluation. This followed attempts by the Director to verbalize and offer written feedback on the EO Reviews. The Director rewrote one of the reports to demonstrate the new level of explanation and detail expected. While this example included additional evaluation, a review of subsequent reports developed suggests that staff have used the example developed by the Director as a template and are not, for the most part, engaging in actual additional analysis that would further customize the results.

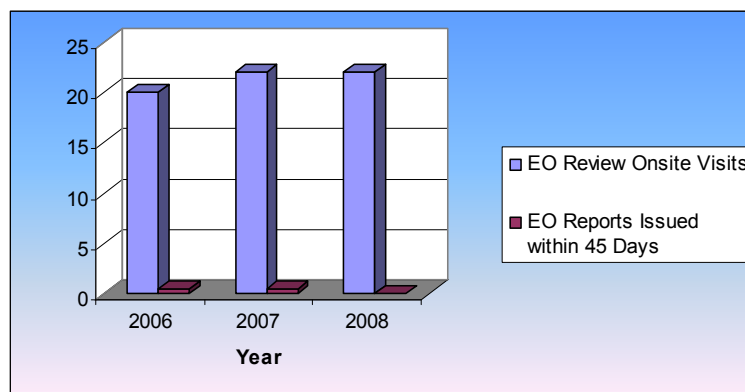
With respect to the EO Review function, the EEOC does not prescribe the manner in which self-assessment can be performed, leaving it to the agency's discretion to tailor self-assessment activities to meet its particular needs. USCG has chosen to conduct site reviews (EO Review) and has designated this self-assessment method as a formal program in its Equal Opportunity Manual. The Equal Opportunity Manual does not reflect consideration of other evaluation tools that may offer greater efficiency and be more fiscally prudent (i.e., desk audits, point-of-service feedback questionnaires, workforce opinion polls, etc.).

As noted previously, the Director rightly now requires the staff to articulate a justification for the units that it selects for review. While this represents progress, the Division could do more to analyze the utility and return on investment of this more than \$70,000 annual investment. In addition, EO Reviews seem to have fallen into a pattern, with the same number conducted annually without the Division being able to articulate how the target number came about or why the USCG workforce requires the onsite visit as opposed to other methods of evaluation.

It should be noted that not all federal agencies conduct site reviews, and in fact many have greatly reduced or eliminated site visits either for lack of resources or utility of other self-assessment activities implemented to enhance overall effectiveness. USCG already requires commands to conduct climate surveys annually and to act on the results. The Booz Allen team could not determine significant additional impact from the follow-up visits or a business case for the annual target goal of 22 EO Reviews.

With respect to EO Reports, the Equal Opportunity Manual states, “the Commandant provides a final written report to the command approximately 45 days following the EO Review visit.” (See Equal Opportunity Manual, 3-E-10, COMDTINST M5350.4B.) It is noted that the current Director inherited a backlog of nine EO Reviews when she arrived at OCR in 2006. It is also noted that for the period 2006 through October 31, 2008, the Policy and Plans Division accumulated a significant backlog of EO Review Reports, and there was no issuance of EO Review Reports within the prescribed 45-day time frame. Data provided by OCR indicates that the backlog has been reduced significantly in recent months and all outstanding 2008 EO Review Reports are on schedule to be completed by the end of February 2009.

Figure 4 – EO Review Reports Issued Within 45 Days (2006–2008)



A backlog in the EO Review process has several tangible impacts. First, the stated purpose of the EO Reviews—that is, to “assess and provide feedback to the command on the overall EO climate and state of its civil rights program”—is not met when EO Review Reports are protracted and delayed in release. Second, once an EO Report is released after substantial delay, the findings and recommendations contained therein

have often been overtaken by events. This may occur when, for example, a command leadership changes prior to a unit receiving the results of an EO Review. In this case, the original stakeholders are no longer present, and a new leadership has to be reoriented.

Although this issuance delay is of significant concern, several contributors to this delay have been revealed. First, the Director inherited a backlog of nine EO Reviews upon her arrival in 2006. Second, the considerable increase in the annual EO Review target goal (22) from the previous annual average (6) in 2006 is significant, although the Booz Allen team was unable to determine where the specific instruction to increase the number of EO Reviews to 22 originated. Third, the revised target goal came with no increase in staffing to support the greater productivity requirements. (It is also noted that as a mitigation strategy to address the increased workload and lack of additional staffing for EO Review efforts, OCR staff throughout the office – that is, individuals outside of the Policy and Plans Division – participate on EO Review teams.) Fourth, in March 2008, the Director developed and implemented a revised EO Review format that provided for additional evaluation and analysis. In that regard, OCR staff needed time to acclimate to the new reporting requirements and revise any outstanding reports to conform to the new revised EO Report format.

4.2.2 Key Findings

- **Resources for EO Reviews:** The Booz Allen team notes that the mitigation strategy adopted by the Policy and Plans Division to address the increased workload and lack of additional staffing for EO Reviews has been to have OCR staff throughout the office participate on EO Review teams. While this may be an effective short-term solution, there is concern that individuals outside the Policy and Plans Division may not possess the requisite skillset and understanding of the EO Review process to provide the substantive EEO analysis required to make the process more meaningful and comprehensive.
- **EO Review Workload:** The Booz Allen team was unable to determine either a rationale or a business justification for the target goal of conducting 22 EO Reviews annually.
- **EO Review Resources:** The EO Review process draws from resources within OCR intended to fulfill other statutory requirements such as training, and complaints investigations and adjudication.
- **Equal Opportunity Manual:** The section in the Equal Opportunity Manual entitled “Equal Opportunity (EO) Review Program” (page 3-E-8) lacks specificity regarding the purpose, format, and structure of EO reviews.
- **Success of EO Reviews:** The EO Review process lacks metrics to define success. There are no measurable outcomes or root cause analysis for problems identified,

which, in turn, causes commands to narrow problems to discrete areas for improvement.

- **Quality of EO Reviews:** The EO Review process offers an opportunity to provide Field managers and supervisors with complaint metrics, proactive guidance, and data pertinent to their specific location. However, OCR is not currently availing itself of this opportunity.
- **Quality of EO Reviews:** The EO Reports lack both substance and specificity. EO Review Reports vary in length but generally are 10 to 12 pages, with a significant portion consisting of boilerplate language. There is very little analysis and technical guidance contained therein.
- **Quality of EO Reviews:** The Commanders' out-briefs tend not to include robust, actionable recommendations with associated implementation plans.
- **Approach to EO Reviews:** There is no distinction in process between the review of a large unit and that of a small unit. There is no language in the Equal Opportunity Manual that requires tailoring the EO Review approach to the size of the particular command or unit, thus minimizing the opportunity to leverage best practices and/or past experiences with other similarly situated commands.
- **Approach to EO Reviews:** Currently, the EO Review process includes an onsite component. There may be other more fiscally prudent methods for OCR to achieve its self-assessment objectives, such as desk audits, point-of-service feedback questionnaires, workforce opinion polls, etc.

4.2.3 Office of Civil Rights EEO Training Programs

The Policy and Plans Division of OCR has oversight and responsibility for the credentialing process of Equal Opportunity Advisors (EOA) and EEO Counselors. In addition, the Policy and Plans Division maintains oversight of USCG employees in the areas of Human Relations Awareness (HRA) and Sexual Harassment Prevention (SHP) training.

The Equal Opportunity Manual (page 2-B-4) cites the responsibilities of the Policy and Plans Division pertaining to training.

Policy and Plans Division Training Responsibilities Equal Opportunity Manual, 2-B-4 (COMDTINST M5350.4B)

- Develops and manages standardized Coast Guard-wide Human Relations Awareness (HRA) and Sexual Harassment Prevention (SHP) training programs and manages CRSP training quotas
- Oversees the credentialing process for all EEO Counselors
- Manages the DEOMI residential training program, to include the three week Coast Guard specific portion of the training

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4.2.3.1 Current State

The Policy and Plans Division is responsible for coordinating the training activities of the organization, including developing, deploying, and administering policy and courses for the USCG workforce such as HRA and SHP. Staff responsibilities include

“[ensuring] that these [Coast Guard] personnel have the correct knowledge, skills and abilities to perform their duties.”¹⁷

The Policy and Plans Division also oversees training for Civil Rights Service Providers throughout the USCG. While this includes managing a USCG-wide training program for HRA and SHP courses, there is no training program in place for USCG employees beyond these requirements. For example, there is no existing training program in place specifically designed to educate supervisors and managers on EEO-related matters. Furthermore, there does not appear to be any interaction with the Office of Personnel regarding the ongoing training needs of civil rights professionals.

The Equal Opportunity Manual provides guidance on training delivery procedure, and timing. The HRA training is required triennially and the SHP annually, and the results of the training are reported in the Training Management Tool. Of the approximately 19,000 to 20,000 personnel who should receive HRA training annually to ensure compliance with the triennial requirement, roughly 15,000 are being trained annually. Thus, approximately 25 percent of the staff each year lags behind in required HRA and SHP training. This backlog compounds annually.

The SHP course is composed of two components—an online portion and a live facilitated portion. The online SHP course ensures consistency of the material presented. However, the facilitated portion of the training does not appear to always be administered consistently even though there is a consistent structure.

Based on information received through the Policy and Plans Division, 23 to 25 instructors provide HRA and SHP training—16 active duty EOAs and 9 other Civil Rights Service Providers. Upon review of existing HRA and SHP training modules, it has been determined that the HRA and SHP course curricula developed by EOAs are not standardized. In fact, after initial review by the Defense Equal Opportunity Management Institute (DEOMI) instructors, there is no indication that these materials are reviewed thereafter for content accuracy and training best practices. There also is no OCR policy review of the materials used by EOAs nor standardization of the materials used in the Field subsequent to the initial DEOMI review.

Training records provided to the Booz Allen team indicate that with respect to the credentialing process for EEO Counselors, in some instances USCG personnel are not receiving training as required by the EEOC. For example, a review of training data provided reveals that EEO Counselors are not all documented as having satisfied the legislatively mandated 32-hour training requirement for new federal EEO Counselors or, the required 8 hours of continuing EEO Counselor training (“refresher training”). Based on a review of training records provided, there are, in some instances, delinquencies as great as 5 years noted. Furthermore, feedback from OCR and the Field

¹⁷ Position Description—Instructional Systems Specialist. This position has been vacant since May 2008.

indicates that the Collateral Duty Counselors often do not possess the requisite experience to serve as effective EEO Counselors and that the skillset required is not being attained through EEO Counselor training and/or periodic counseling assignments.

DEOMI

DEOMI offers a variety of EEO and civil rights training for military and civilian personnel. Of particular note is the 10-week Equal Opportunity Advisor Program that is the primary training vehicle for new EOAs.¹⁸ It consists of 7 weeks of Department of Defense, Equal Opportunity, training and 3 weeks of “Service Specific” training. Among other topics, the Equal Opportunity Advisor Program introduces EOAs to the civil rights arena, prepares them to assess human relations climates and to facilitate the 8-hour HRA training for USCG employees. All EOAs are required to attend the 10-week Equal Opportunity Advisor Program.

In addition, DEOMI offers a variety of courses for civilian personnel, including Equal Employment Opportunity Specialists Course, Equal Employment Opportunity Counselors Program, Equal Employment Opportunity Officer Course, Equal Opportunity Program Managers Course, Leadership Team Awareness Seminar, Mediation Certification Program, and the Special Emphasis Program Managers Course. For civilian courses, DEOMI uses subject matter experts to facilitate the courses.

There is a consensus of opinion that DEOMI is an efficiently operated training institution and that the 10-week Equal Opportunity Advisor Course provides a solid foundation. However, significant concerns have been expressed concerning the substance and effectiveness of the 10-week training program for EOAs at DEOMI. Comments by Field and OCR personnel suggest that EOAs who complete the 10-week DEOMI training program are not sufficiently trained to immediately handle the full spectrum of civil rights functions as described in the Coast Guard Personnel Manual, Chapter 4.E. In particular, it was reported that EOAs are not adequately trained to conduct inquiries into informal complaints of discrimination and facilitate mediation and resolution of informal complaints.

Information shared with the Booz Allen team during multiple interviews also indicates that the 3-week service-specific portion of the Equal Opportunity Advisor Program is not adequately training EOAs to write high-quality Counselors Reports and to frame issues contained in complaints. There are two USCG Service Liaison Officers (SLO) at DEOMI who are aligned organizationally under the Policy and Plans Division. It is unclear how active the Policy and Plans Division is with regard to “managing” the DEOMI residential training program, which includes the 3-week Coast Guard-specific

¹⁸ “The EOA is a full-time military or civilian Field EO program specialist that delivers program content and services for units...and serves as the functional subject matter expert.” (Equal Opportunity Manual, 2-C-11 (COMDTINST M5350.4B).)

portion of the training. It has been reported that the 3-week DEOMI service-specific curriculum often includes few students—sometimes as few as one or two. Such a small group may limit the training modalities that can be used. However, it is noted that the materials provided by DEOMI are regularly updated to reflect changes in EEO requirements.

A review of the DEOMI service-specific curriculum indicates that, although the EEO complaint process and counseling/mediation skills are covered during the 3-week service-specific portion of the 10-week Equal Opportunity Advisor Program, these topics are addressed in a very limited fashion during the first week service-specific portion. Other topics covered during this same week include “Knowledge of EO Program,” “Understand Diversity and the Importance of Cultural Awareness,” “Understand the Roles and Responsibilities of EOA, CRO, CDCRO, HRC, and SEPM,” “Understand the EO/EEO Complaint Process,” and “Demonstrate Counseling/Mediation Skills.” The numerous topics covered during the first week of the 3-week DEOMI service-specific curriculum indicate that limited time is devoted to EEO complaint processing skills. It has been reported that the lack of focus on EEO complaint processing techniques necessitates full-time Civil Rights Service Providers training (or retraining) EOAs upon their arrival onsite.

There has been recent consideration of the Equal Opportunity Advisor Program to determine whether the curriculum in its current form is meeting the needs of the USCG civil rights organization. However, no formal mechanism is currently in place to provide for a policy content review, an evaluation and revision process, and performance measures to determine whether the course is successful and meeting the objectives and needs of the USCG civil rights organization.

In-House Training Activities

For the last three years, OCR has sponsored a training conference for full-time and Collateral Duty Civil Rights Service Providers at OCR and in Field units. This includes Equal Opportunity Counselors, EOAs, Equal Opportunity Specialists (EOS), Civil Rights Officers (CRO), and Special Emphasis Program Managers (SEPM). The purpose of this conference is to educate and train staff on EEO processing, emerging issues, and best practices. The conference has routinely been well received and has included a variety of subject matter experts and guest presenters. The Areas also sponsor periodic training for Civil Rights Service Providers who fall within their purview.

4.2.3.2 Key Findings

- **Training Content:** The three week USCG service-specific training administered during the Equal Opportunity Advisor Program contains minimal coursework concerning complaint processing and counseling skills.

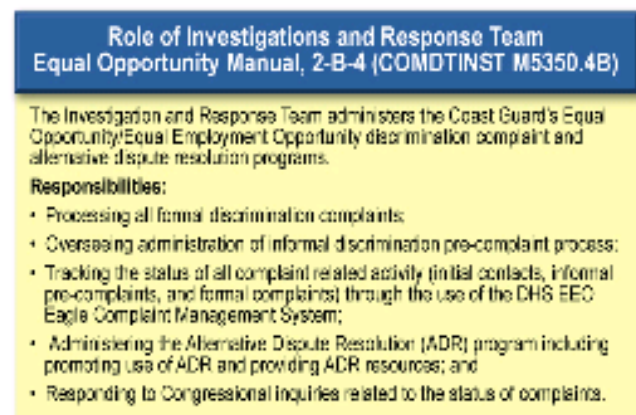
- **EOA Training:** The lack of focus on EEO complaint processing techniques often necessitates full-time Civil Rights Service Providers training (or retraining) EOAs upon their arrival onsite following the DEOMI program.
- **Training Requirements:** According to data provided by OCR, USCG personnel do not always receive training as required by the EEOC, such as the 8 hours of annual EEO Counselor training (“refresher training”) or, the required 32-hour training requirement for new federal EEO Counselors.
- **Training Requirements:** Collateral Duty EEO Counselors, for the most part, are not acquiring the requisite skillset through EEO Counselor training (“refresher training”) or, the required 32-hour training requirement for new federal EEO Counselors even though this is often the only training that EEO Counselors receive.
- **Training Program:** There are no civil rights/EEO training requirements for USCG employees other than HRA training and SHP training. There is no required civil rights/EEO training for managers or supervisors.

4.3 INVESTIGATIONS AND RESPONSE TEAM

The Investigations and Response Team is led by a Team Leader (GS-14) and has three other resources: Equal Opportunity Specialist/Investigations /COTR (GS-13), Equal Opportunity Specialist/ADR/Informal (GS-13), and an EEO Specialist/Program Support (GS-12).

4.3.1 Current State

The Investigations and Response Team oversees the Informal and Formal EEO complaint processes and is responsible for safeguarding complaint files and the associated PII. In addition, the Investigation and Response Team administers the Alternative Dispute Resolution (ADR) program.



4.3.1.1 Overview of Complaint Processing

29 C.F.R. 1614 governs the federal sector EEO discrimination complaint process. The USCG civil rights organization processes both military and civilian complaints. Informal and Formal complaints filed are tracked and reported to OCR although OCR does not maintain district-by-district Informal complaint filing information. Informal contacts are tracked locally and are not consistently reported to OCR. Figure 5 below illustrates the number of formal complaints filed at USCG compared with other DHS component agencies.

Figure 5 – Department of Homeland Security Components Complaint Workload

DHS Component	Full-Time Civil Rights Service Providers	Fiscal Year 2006 Formal Complaints	Fiscal Year 2006 Workforce	Fiscal Year 2007 Formal Complaints	Fiscal Year 2007 Workforce
Federal Emergency Management Agency*	21	108	27,590	150	16,859
Federal Law Enforcement Training Center	8	10	1,021	3	1,152
Transportation Security Administration **	56	297	56,279	345	57,853
United States Coast Guard ***	51	60	46,484	58	48,473
United States Citizenship and Immigration Services	8	96	8,666	94	8,008
United States Customs Service	56	263	43,545	267	47,606
United States Immigration and Customs Enforcement	15	185	15,277	169	16,277
United States Secret Service	7	11	6,515	16	6,613

*A significant portion of the FEMA workforce are Disaster Assistance Employees who only work during actual disasters periods.

**Transportation Security Administration maintains full-time onsite EEO contractors.

***This includes military and civilian complaints filed.

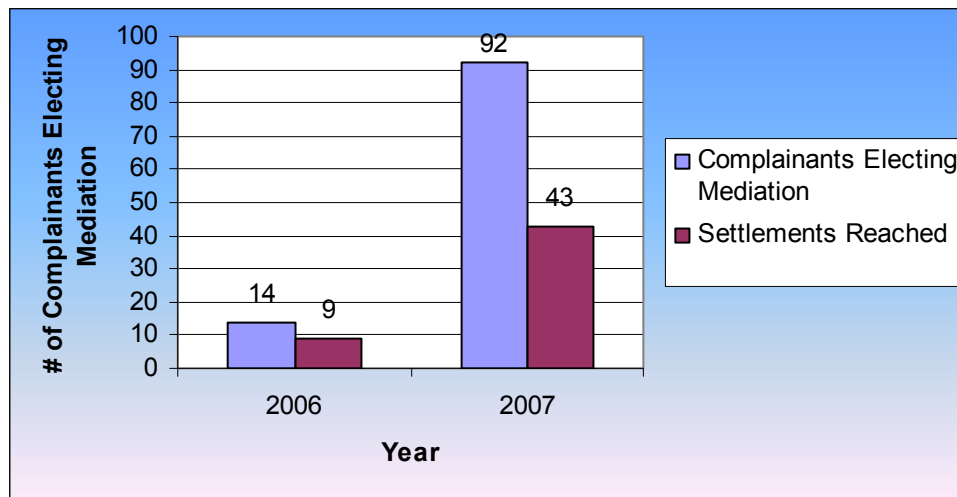
The USCG OCR is the only DHS component listed in Figure 5 above that operates within a decentralized organizational framework. As such, complaint processing methods vary across the USCG civil rights organization because Areas and Districts have developed their own sub-processes that induce wide variation. For example, information gathered during interviews demonstrated that while Civil Rights Service Providers are advising aggrieved parties of their EEO counseling and ADR rights upon initial contact, pursuant to 29 C.F.R. 1614; they are also in some cases attempting to independently resolve complaints on their own, thereby circumventing EEOC requirements. There were other instances noted in which EEO Counselors encouraged prospective complainants to file grievances and not participate in the EEO counseling process. Additionally, one District has created templates and checklists not used by other Districts. The variation of complaint processing procedures puts the organization at-large at risk because there is no way to fully ensure that the complaint resolution methods and techniques employed are in compliance with 29 C.F.R. 1614.

The lack of official oversight by OCR of Field complaint processing activities is problematic for several reasons. First, this structure does not lend itself to standard operating procedures that can be regulated by OCR. Second, and respectfully, the command structure does not routinely possess the requisite civil rights subject matter expertise to provide input and guidance, as required. Also, at various times, commands have delegated authority for complaints to persons not authorized to make decisions or possessing the requisite subject matter expertise to make such decisions. Third, there is a lack of consistency regarding how delivery is achieved.

29 C.F.R. 1614 requires agencies to establish or make available an ADR program at the Informal and Formal stages of the EEO process. Specifically, 29 C.F.R. 1614.603 requires that “[e]ach agency... make reasonable efforts to voluntarily settle complaints of discrimination... throughout the administrative processing of complaints...” The record reflects that OCR has an ADR program in place, pursuant to the requirements of 29 C.F.R. 1614, that has demonstrated increased utilization and success as follows:

- 2006 – During FY06, 14, or 23 percent of USCG complainants elected mediation. Nine, or 15 percent resulted in settlements, of which seven had reached the Formal stage, and two were at the Informal stage.
- 2007 – During FY07, 92, or 46 percent of USCG complainants elected mediation. Forty-three, or 47 percent resulted in settlements, of which 11 had reached the Formal stage, and 32 were at the Informal stage.

Figure 6 – ADR Participation (2006-2007)



4.3.1.2 Informal Complaint Processing

With respect to the Informal EEO process at USCG, the majority of counseling activities are handled by Collateral Duty Counselors, that is, individuals who serve as EEO Counselors in addition to performing the normal duties and responsibilities associated with their full-time position of record. It should be noted that EOAs, generally military personnel who serve 2-year assignments within OCR Field locations, also may perform counseling functions.

The Booz Allen team notes that the majority of EEO Counselors either maintain a collateral duty status – that is, not full-time employees – or are EOAs who often have limited experience or are new to the civil rights/EEO fields. The skills required to be an effective EEO Counselor require, among other skills, the ability to identify the claim(s) and basis(es) of a possible complaint and the ability to prepare comprehensive EEO

Counselor's Reports. This skillset requires experience and a solid understanding of the EEO complaint process, and cannot be acquired solely through the initial required EEO counseling training course, EEO Counselor Refresher training, or intermittent counseling assignments. Feedback received during interviews with Area, District, and OCR staff indicates that in some instances, Counselor's Reports are well written; however, more often than not, they are not well written, do not reflect an understanding of how to frame the issues presented, and often require significant rewrite.

Figure 7 – Informal Contacts by Area (2006–2007)

Area	Years			
	2007	Percentage	2006	Percentage
HQ	410	43.7%	229	24.8%
LANTAREA	208	22.2%	212	22.9%
PACAREA	320	34.1%	484	52.3%
Total	938	100%	925	100.0%

The significant number of Informal Contacts shown in Figure 7 affirms the importance of the EEO counseling function and that it must be performed efficiently, properly, and pursuant to the requirements of 29 C.F.R. 1614.

4.3.1.3 Formal Complaint Processing

With respect to Formal complaint processing, the Area Equal Opportunity Managers review Formal complaints filed and determine whether acceptance or dismissal of the complaint is appropriate. Thereafter, the Area Equal Opportunity Manager prepares the appropriate documentation. If the Formal complaint is accepted, the Area Equal Opportunity Manager forwards the acceptance letter and counseling package to OCR requesting assignment of an EEO investigator to conduct an investigation. Upon completion of the Report of Investigation, the complainant receives a notice informing him or her of his or her right to a hearing before an EEOC Administrative Judge (civilian complaints only) or a Final Agency Decision (FAD) (civilian and military complaints) without a hearing from DHS.

Upon election of a FAD, the complaint file is forwarded to DHS for further processing—that is, the issuance of a FAD. There is no defined process in place to inform the commands of the outcome of investigations or if they have concluded.

With respect to FADs for USCG OCR complaints, the issuance of these decisions has been protracted. In 2006, four complaint packages were sent to DHS for FAD processing. To date, none of these has yet been issued. In 2007, 19 complaint packages were sent to DHS for FAD processing. Again, to date, none has yet been issued. In light of this delay in processing, in March 2007, OCR formally requested that it be authorized to process military FADs. This request arose out of USCG's desire to

expedite the processing of military FADs and to be consistent in process with other branches of the military. DHS has approved this request, and OCR will soon assume responsibility for issuing final actions in military EO complaints. In addition to military complaints, another group of complaints that were not previously anticipated – that is, non-statutory complaints – will soon be delegated by DHS to the USCG OCR for FAD processing. It is noted that civilian EEO complaint activity at USCG increased by 23 percent in FY08 and that military complaint activity increased by 32 percent. These increases in complaint activity portend an increase in required FAD processing. The Booz Allen team notes concern that the current staff level maintained by the Investigations and Response Team is insufficient to handle these added responsibilities.

The Equal Opportunity Manual describes the Informal and Formal complaint processes at USCG. (See Equal Opportunity Manual, 3-F-3 through 3-F-43, COMDTINST M5350.4B.) The Manual does not, however, include statutory references and citations so that a reader can cross reference relevant statutory language with the guidance provided through the Equal Opportunity Manual. In addition, the Equal Opportunity Manual does not contain specifics on the roles of Field and OCR personnel throughout the complaint process.

4.3.2 Key Findings

- **Success of ADR Program:** OCR operates an ADR program consistent with the requirements of 29 C.F.R. 1614. There have been quantifiable improvements with respect to participation in the ADR process.
- **Quality of EEO Counseling:** The majority of EEO Counselors maintain collateral duty status and do not have significant experience in navigating the EEO process or counseling EEO complainants. This lack of experience may be a contributor to feedback received that EEO Counselor's Reports are often received that are not comprehensive, lack specificity, and require significant rewrite and edits by the Area Directors.
- **Complaint Processing Methods:** Feedback received from the Field indicates that there is an "informal" process used to resolve complaints independent of the statutorily mandated process outlined in 29 C.F.R. 1614. For example, EEO Counselors are advising aggrieved parties to seek other forms of redress not identified in the regulations.
- **Complaint Processing Methods:** The Investigations and Response Team collaborated with legal, DHS, and other stakeholders to improve processes for military complaint decisions.
- **Quality of Complaint Processing:** Data received from OCR indicates that Accept and Dismiss letters received from the Field often require significant edits

or rewrite. It has been reported by OCR that approximately 50 percent of all such letters require additional changes.

- **Complaint Processing:** The method for processing complaints varies among the Field locations.
- **Lack of Resources for FAD Processing:** The Investigations and Response Team currently does not have the requisite resources to assume responsibility for issuing FADs in military EO complaints. This function is planned to be transferred to that team. The current staffing level is insufficient to handle this added responsibility.
- **Complaint Status Updates:** Field offices are unable to obtain information on the status of FADs from OCR and do not receive FADs in a timely manner.

4.4 STRATEGIC PLANS AND RESOURCE MANAGEMENT TEAM

The Strategic Plans and Resource Management Team oversees the resource and planning management for the USCG's civil rights programs.

The Strategic Plans and Resources Management Team is led by a Team Leader (GS-13) and is composed of two other resources which includes a Large Unit Financial System (LUFS) Analyst (E7) and a Program Analyst (GS-12 – Vacant). The Strategic Plans and Resources Management Team is responsible for, among other duties, overseeing the budget and

procurement process, strategic planning, and planning proposals, and developing financial and budgetary timetables. The Strategic Plans and Resource Management Team plays an enabling role in all program areas because all of the program elements use this team in one form or another to aid in performing most of their core work. Additionally, the Strategic Plans and Resource Management Team is responsible for posting content to OCR's official web page on the USCG Internet site, as well as monitoring the functionality of the website and associated compliance requirements.

Role of Strategic Plans and Resource Management Team
Equal Opportunity Manual, 2-B-5 (COMDTINST M5350.4B)

The Strategic Plans and Resource Management Team oversees the Resource and Planning Management for the Coast Guard's Civil Rights programs.

The Strategic Plans and Resources Management Team is responsible for:

- Business and financial planning, including budget formulation, execution and documentation;
- Information Resource Management, including web site sustainment;
- Data compilation, integration, analysis and reporting;
- Procurement and property control; and
- Travel funds management and travel claim review and approval.

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4.4.1 Current State

With respect to day-to-day operations, it is noted that the components of OCR (i.e., Compliance and Liaison Division, Policy and Plans Division, Investigations and Response Team) bear some responsibility for developing budget justifications and entering associated data into the USCG financial data system. Also, a review of day-to-

day budget activities indicates that the Director of OCR is frequently involved in budget development, justification activities, and ongoing budgetary matters in an effort to assist the Strategic Plans and Resources Management Team.

According to the survey results of the 2008 Organizational Assessment Survey (OAS), 80 percent of the OCR staff believes the resources provided by the OCR program are insufficient to promote improvement (resources include time, training, and dollars). This figure rose dramatically from the 2006 figure of 17 percent. It is noted that many Field personnel request supplemental funding from their commands – funding that appears to be granted (or not) on a case-by-case basis (e.g., laptop computers or travel). Interviews with OCR and Field personnel suggested an inadequacy of funds for formal training (this is training travel and/or course fees). They also noted a lack of funds to train OCR and Field staff needed to carry out program objectives.

A recurring message conveyed through interviews was that additional civilian staff positions are needed at OCR and in the field to augment training, investigations, and staff support. The USCG OCR, MD-715 Program Status Report, Fiscal Year 2007 states that OCR has not been allotted sufficient personnel resources to ensure that self-assessments and self-analyses prescribed by MD-715 are conducted annually and to maintain an effective complaint processing system.

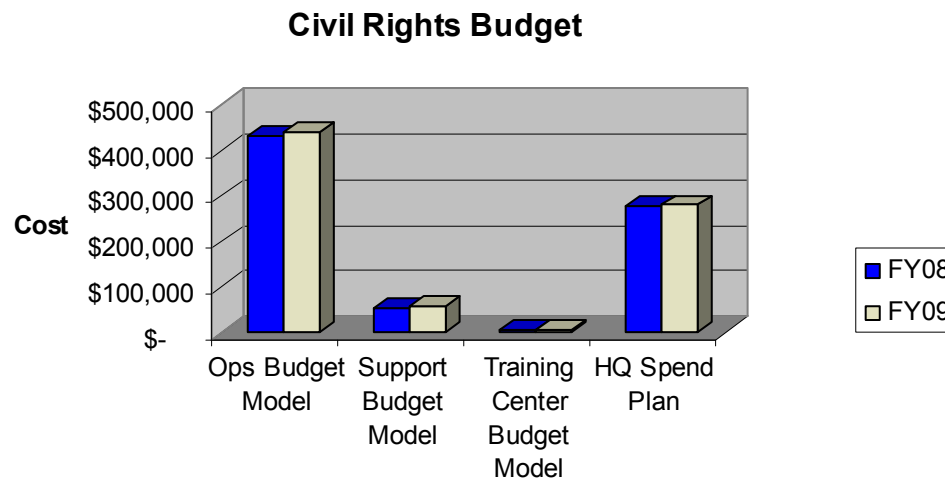
The Team Leader of the Strategic Plans and Resources Management Team is responsible for ensuring that the OCR annual “Spend Plan” is prepared, approved by OCR’s Deputy, and submitted to the Office of Resource Management (GG-83). The Spend Plan is intended to reflect the amount of money needed to carry out OCR and Field operations. AFC 56 funds, which are requested through the Office of Personnel and Training (CG-12), account for staff training funds. However, the Spend Plan includes requests for training funds such as the funding required for the civil rights conference sponsored annually by OCR.

According to CG-83, the Spend Plan is generally the same as a previous year’s budget for any USCG program. Increases other than Cost of Living Adjustments are generally only granted per current budget year. Any changes to the distribution of funds must be approved by CG-83. Information received during interviews with CG-83 personnel indicates that Pre-Execution Stage requests (Pre-X Stage) at the Spend Plan formulation stage must include a viable argument for an increase prior to Spend Plan creation. There is no indication that OCR has presented any Pre-X-Stage requests, with one exception, over the past 2 years.

4.4.1.1 2009 OCR Budget Breakdown

The civil rights budget provided is approximately \$788,459 for FY09. This amount represents an increase of 1.9 percent from 2008, reflecting a Cost of Living Adjustment of \$773,655. Figure 8 presents a breakdown and graphic depiction.

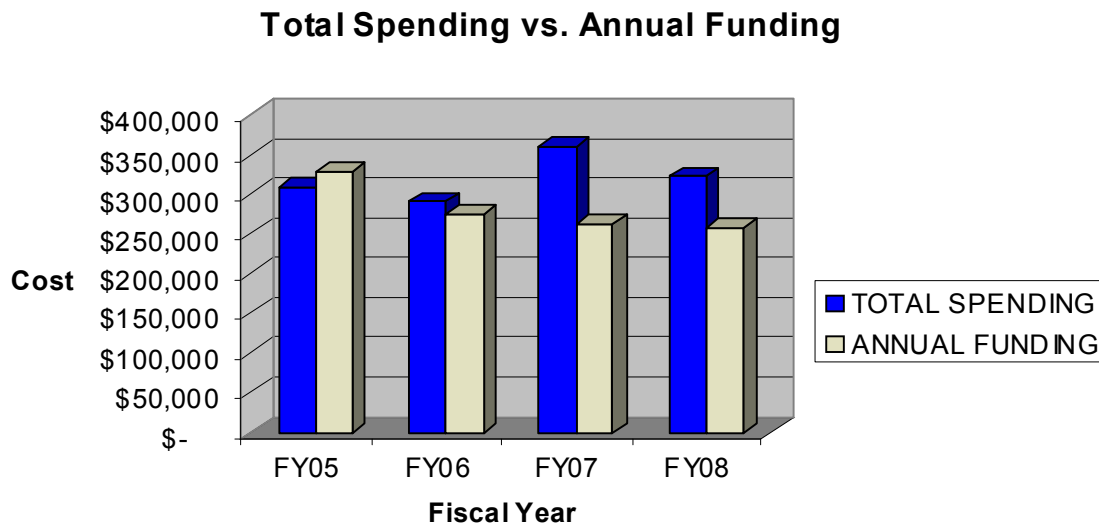
Figure 8—Civil Rights Budget (2008 and 2009)



The Field funding portion, or what is known as the Operational Budget Model, is approximately \$442,000. It provides funds that are directly transferred from OCR to USCG Area and District Commanders.

The OCR staff portion, referred to as the 2009 HQ Spend Plan, is approximately \$281,000. The majority of that funding, approximately 65 percent, is slated to be expended primarily for OCR travel. This is of significant concern because the statutorily required EEO complaint process expended a total of \$210,000 in FY08, which would leave only \$71,000 for all other OCR programs should spending remain at the same level. Figure 9 compares total spending versus annual spending for FY05 through FY08.

Figure 9 – Comparison of Total Spending Versus Annual Spending (2005–2008)



4.4.1.2 Future Years' Budget, Resources, and Planning

An OCR FY11 Resource Proposal was submitted for consideration in late November 2008 for \$2.5 million and includes a request for training funds, budget growth, and a number of staff positions, including some Civil Rights Service Providers for certain districts that do not have full-time Civil Rights Service Providers.

As illustrated in Figure 10, the Resource Proposal Process consists of three panels of decision makers with more junior-level decision makers at the lower rung and Flag or Admiral/SES level leaders comprising the top rung. The senior leadership of many USCG programs often provides direct advocacy in order to market or gain step-by-step approval of its Resource Proposals.

Figure 10 – Resource Proposal Process



4.4.2 Key Findings

4.4.2.1 Annual Budget and Resources

- **OCR Financial Processes:** All indications are that the actual accounting and ledger practices for OCR are conducted correctly and with integrity. There is no indication of accounting discrepancies, no indication of ledger inaccuracies, no indication of violation of travel policy under the Joint Federal Travel Regulations, and no indication of discrepancies in accounting procedures.

- **Accounting Process Knowledge:** The Team Leader of the Strategic Plans and Resources Management Team seeks assistance from the Director of OCR and others outside her team and outside the office with certain detailed requirements of the financial accounting process.
- **Fall-Out Funding:** CG-83 is not aware that OCR has kept or intends to create “backlog” items lists for OCR or Field needs. OCR indicates, however, that it has provided a document to CG-83 with a funding backlog list.
- **Field Budget Allocation:** There is no standard method of budget allocation for the Field. District staff and other Field staff request supplemental funding from their District commands. The manner by which funds are allotted and allocated to Field locations varies depending on the particular command.

4.4.2.2 Findings – Future Years’ Budget and Resources

- **Resource Proposals:** An FY11 Resource Proposal was very recently submitted but has not yet been reviewed by CG-83. It is a request for a \$2.5 million increase to support additional training, a budget increase, and creation of positions for additional full-time Field Civil Rights Service Providers.

Climate is manifested through a variety of means, including words, actions, quality of communication, situational response, and working relationships. This climate assessment considers the perceptions of OCR and Field personnel, as well as other factors that affect productivity. To define the climate, the Booz Allen team applied a set of well-understood and accepted climate dimensions, including the following: communication, goal clarity, performance and productivity, initiative, recognition, respect, team cohesion, leadership, conflict management, and organizational cohesiveness.¹⁹

This analysis is based on the premise that to understand the current state it is necessary to understand the previous state and its underlying dynamics. The views expressed in this section represent a composite of interviewees' statements compiled to prevent attribution. Also, it should be noted that for purposes of background and context, the Booz Allen team interviewed individuals who worked for OCR under previous leadership and during the period of 19 months between the incumbency of the previous and current directors (September 2004 through March 2006). Additionally, this section considers the survey results of the 2002, 2004, 2006, and 2008 Organizational Assessment Surveys.

The OCR climate has been in transition since the retirement of its long-time Director, ██████████ in September 2004. Figure 11 below provides a visual guide to changes in leadership during this period.

The timeline illustrates the leadership of the Department of Justice, Office of Civil Rights (OCR) from 2000 to 2009. A central horizontal axis marks the years 2000, 2002, 2004, 2006, 2008, and 2009. Above the axis, a box spanning from 2004 to 2006 states: "During this 19 month period, the position of Director, OCR, is vacant and the office is governed by Interim military leadership." Key events are marked with boxes and vertical lines:

- 2000:** 20th year as the Director, OCR (Assistant Commandant for Civil Rights)
- 09/04:** retires from the position of Director, OCR (Assistant Commandant for Civil Rights)
- 04/05:** Ms. Dickerson assumes the position of Director, OCR
- 01/09:** assumes the position of Acting Deputy Director, OCR
- 2002:** Deputy Director of OCR, Captain Smith, assumes OCR leadership responsibilities in the absence of a Director
- 04/06:** Captain Uchytel assumes the position of Deputy Director, OCR
- 06/07:** Captain Kolb assumes the position of Deputy Director, OCR

At the bottom right, the text "11-12-09 2:54" is visible.

¹⁹ Based on the work of George H. Litwin and Robert A. Stringer of the Harvard Business School (1968), these dimensions of organizational climate are routinely used to assess the performance of work teams and identify areas for improvement. As is the case for this study, these dimensions are customized to address the requirements of the organization's unique situation.

2000-2004

During this period, OCR was led by [REDACTED] who served as the Director of OCR for approximately 25 years. The climate at OCR during this time has been described as formal, conservative, and somewhat autocratic. The communications were channeled through a chain of command. The office focus was on ongoing operations and representing USCG commitment to equal opportunity by attending USCG and external conferences, events, and meetings, but not on innovation. The office activities were focused on production. The staff processed complaints with heavy involvement of legal personnel especially at the field level, performed EO Reviews (although fewer and not every year), and managed training as well as special emphasis, awards, and external programs.

Respect for senior staff was not always demonstrated or initiative encouraged. Senior leadership preferred to maintain the status quo, often frustrating staff by rejecting requests to update programs consistent with emerging civil rights approaches and requirements.

According to input received during interviews, the office climate began to deteriorate in summer 2003 and continued to decline until [REDACTED] retirement in September 2004. In January 2004, OCR established its complaint processing unit. Initially, this unit was under the purview of what is now the Policy and Plans Division. In 2005, complaint processing was reorganized as a separate program reporting directly to the (then Acting) Director of OCR. It has been reported by multiple interviewees that the reassignment of the complaints processing function caused significant ill will from which some staff members seem not to have progressed.

2004-2006

Upon [REDACTED]'s retirement, the office was managed by rotating military staff. This period was marked by an absence of consistent leadership and an absence of civil rights subject matter expertise at the senior level thereby causing a vacuum in authority and additional disruptive behavior. While individuals within the office collaborated to get work done, there was very little teamwork and cohesion, according to several sources. According to those interviewed, staff turnover in this period can be attributed to senior staff behavior and senior staff members who "unofficially ran the office." Interviewees discussing this period used terms such as "attack," "undermining leadership," "controlling," "manipulative and punitive" to describe the behaviors of senior staff. Also, during this time period, organizational goals were unclear, and staff did not deliver work products on schedule. Moreover, the staff was permitted to telecommute freely resulting in key staff members often being out of the office frequently.

The absence of management control during the 19 months of interim leadership resulted in a lack of cohesion within the office, a frequent lack of respect exhibited

towards interim senior management, and a lack of general well-being throughout the office.

5.2 CURRENT STATE

Today, the climate within OCR reveals lingering signs of the past behaviors passed on through the organizational culture and inherited by the current management team. During interviews, former employees readily stepped forward to attest that a climate of tension, distrust, and divisiveness predates the current director. Some reported a lack of communication within the office, particularly between members of the senior staff and OCR leadership. In addition, the OCR staff has complained that leadership occasionally makes decisions without communicating in advance that such decisions are forthcoming.

There is a belief among Field personnel that the OCR staff does not adequately engage them and acts as though they are “too busy” to respond to Field inquiries. The Booz Allen team observed a very busy Director’s office with the Deputy and Director engaged in frequent meetings, reviewing and approving work products, and preparing for travel as well as upcoming speaking engagements. It is noted that field personnel may not be fully aware of the many demands on the schedule of the Director and other key OCR personnel. Telephone and e-mail records provided detail many interactions between leadership and the field.

The emergence of the previously discussed blog has also contributed to negative perceptions of the USCG OCR organization and has undermined the credibility of OCR leadership within the USCG civil rights organization. In addition, interview feedback suggests that some of the blog postings have had an adverse impact on morale in the office in that OCR and its programs are frequently the subject of unsubstantiated criticisms. Some on staff contended that OCR leadership maligned them because of blog postings; however, the team could find no evidence of this occurrence. The combination of these beliefs and actions has perpetuated tense interactions and a challenging work environment. Through interviews, the Booz Allen team verified that negative impressions that may exist about the Director were, in many instances, initially formed based on blog site postings and not on first-hand experience. In addition, it was determined that negative impressions are not universal.

While some interviewees characterized the Director as “warm,” “professional,” and “strategic,” others maintain that she is “demanding” and “unreasonable.” It was also noted that in some cases, personnel used different words to describe what appeared to be the same behavior by the Director. For example, what some staff members perceived as “meticulous and detailed,” others viewed as “picky.” A primary element of dissatisfaction is with performance feedback and the manner in which it is delivered. The Director maintains that her high standards and exacting deadlines constitute movement toward the goal of making the USCG OCR a high-performing organization.

5.3 KEY OBSERVATIONS

As reported through interviews and summarized below, examination of the current state has revealed additional patterns of behavior reflecting the current climate.

- Through interview feedback and a review of blog site content (*Coast Guard Report*), some individuals have formulated impressions of the Director, key staff members, and the blog itself based on blog assertions – some of which have been misleading and inaccurate.
- Interview feedback indicates that blog assertions (*Coast Guard Report*) have discredited the Director and her background – both internally and externally within the USCG organization. This has contributed to an atmosphere of poor support for the current Director reflected by staff challenges her legitimacy and knowledge of civil rights.
- Some view a “power struggle” between old guard senior managers manifested in an atmosphere perceived to be closed, in which input from direct reports on matters of strategy or policy is not regularly solicited. Others view this as one-sided behavior based on inability or unwillingness to accept new approaches.
- Interviewees offered descriptions of the OCR climate as “closed and isolated” and “tense.” Others offered the observation that a subset of individuals are solely responsible for fostering and fueling such an atmosphere, and influencing others to follow.
- Some in OCR express the viewpoint that staff members regard themselves as entitled to their roles and positions, and value to a lesser degree expertise and commitment to mission and chain-of-command.
- Some in the Field perceive OCR personnel as unresponsive and uninterested in their input, although communications records demonstrate regular interaction and engagement between OCR and Field personnel.
- There is a perception that certain members of OCR senior staff operate from a sense of entitlement to their positions rather than from commitment to mission and purpose of the OCR organization.
- Certain members of OCR and the USCG civil rights organization at-large do not respect the need to keep information confidential and do not understand and/or respect the confidentiality requirements of 29 C.F.R. 1614.

The Booz Allen team noted some additional perceptions reflecting collaboration across organizational boundaries, positive climate attributes and ongoing activities, as summarized below.

- The Investigations and Response Team and the Office of the Director have collaborated to improve the timeliness of the Field in meeting complaint processing deadlines.
- OCR has had seats on many internal boards, including the Civilian Advisory Board and the Diversity Council run by CG-1. In addition, the Director has been a participant and member on many internal and external boards and panels representing USCG and OCR.
- OCR leadership now keeps USCG leadership constantly apprised of program developments, concerns, recommendations, and decisions through regular briefings and DIGESTs.
- The Director inaugurated a monthly newsletter that serves to inform the workforce and also solidifies partnerships with DHS subcomponents and Department of Defense agencies.
- OCR had no public Internet presence prior to 2006. Through its web page, it now offers information about the USCG civil rights program to the public.
- To address bias incidents, the office enacted robust second and third-order actions based on an incident at the Coast Guard Academy. Toward that end, the Director convened a 3-day training at DEOMI on “Responding to Bias Incidents.” The agenda afforded a strategic opportunity for Field personnel to engage with experts, including some from other agencies, such as the Department of Justice, which were selected because of their prior experience with such incidents. OCR used the opportunity to collaboratively explore ways to improve. As a result, the participants collaboratively developed a draft Instruction for bias incident reporting (now in legal clearance).

6. REVIEW AND ASSESSMENT OF OCR SKILLS AND ABILITIES

In addition to the annual reporting requirements, the MD-715 process can serve as a mechanism to improve an agency's EEO programs. Toward that end, the six articulated elements of a "Model EEO Program" (Demonstrated Commitment, Making EEO an Integral Part of the Agency's Strategic Mission, Ensuring Management and Program Accountability, Proactive Prevention, Efficiency and Responsiveness and Legal Compliance) require agencies to benchmark their progress and achievements. Therefore, the skills and abilities of an agency's staff are important components in achieving this objective.

6.1 CURRENT STATE

According to data provided to the Booz Allen team, OCR currently has 22 full-time positions (with 3 vacancies) dedicated to supporting OCR operations. Of the 22 billets, 17 are civilian, 5 are military, 10 are management level (GS-13 and above), and 7 are staff level (below GS-13). Figure 12 below shows this mix of the current staff and the mix of the total full-time positions within OCR.

Figure 12 – OCR Staffing Mix

Type	Full Time Billets	Currently Filled
Military/Total	5/22	5/20
GS-13 above/Total	10/22	9/22
GS-12 below/Total	7/22	4/22

When the elements of a Model EEO Program were juxtaposed with the OCR organization, the Booz Allen team determined that certain program elements are not fulfilled. For example, some staff members lack the requisite skills, abilities, and training to effectively perform the duties of their positions thereby diminishing the effectiveness of the Divisions/Teams. Also, as mentioned previously, military personnel often lack experience or training in civil rights when they rotate into OCR. Although EOAs are sent to DEOMI for training, the majority of the other military personnel only receive on-the-job-training. When the EOAs return from DEOMI after a minimum of 10 weeks and assume their duties in the OCR, they too must augment their training with on-the-job training because the 10-week DEOMI curriculum does not provide adequate training on complaint processing.

OCR staff and Field personnel often lack formal training in civil rights or EEO. The record reflects that many Field SEP Managers lack relevant training to effectively perform the duties of their positions or to ensure their programs and procedures are effectively implemented. Training data provided to the Booz Allen team reveals that many EEO Counselors are not consistently receiving their initial basic EEO training or their annual refresher training, resulting in the dissemination of information inconsistent with 29 C.F.R. 1614 and other related laws and statutes. Moreover, in cases

where Collateral Duty Civil Rights Service Providers have received training, they lack relevant experience. Considering the number of complaints filed on an annual basis, and the fact that many Civil Rights Service Providers serve on a part-time basis, it is unlikely that they will expeditiously acquire the relevant experience needed to be immediately effective in their positions.

Various staff members within the USCG civil rights organization have used unofficial titles often causing unnecessary confusion for stakeholders regarding roles, authority, skills, and abilities. Also, while certain necessary skillsets appear to be missing from the OCR workforce, other highly skilled personnel are either underutilized and/or tasked with administrative functions. This mismatch occurs most frequently with military personnel. Through interviews and a review of work assignments, it was revealed that some of the OCR military personnel perform duties that are significantly below their skillsets. Performing such duties can have an adverse impact on their careers. Considering this challenge, military personnel have, in an effort to position themselves for advancement or promotion, sought work opportunities commensurate with their skillset outside of their assigned Divisions/Teams.

It was also revealed that other personnel are routinely performing job duties outside the purview of their job description. For example, a member of the Investigations and Response Team designated as an “EEO Specialist/Program Support” is performing day-to-day administrative functions that take away from her execution of the EEO Specialist responsibilities outlined in the corresponding job description. In addition, this individual performs frequent budget-related activities, as defined by the Strategic Plans and Resource Management Team.

Some OCR managers lack effective managerial communication and interpersonal skills, as evidenced by their ineffective collaboration with other Divisions/Teams. Staff members shared with the Booz Allen team some of the challenges they experience when attempting to obtain information and/or documentation from other OCR Divisions/Teams. They provided examples of how Divisions/Teams either fail to, or are slow to respond to requests, thereby creating unnecessary delays in preparing reports or in performing other duties.

6.2 KEY FINDINGS

- **Skill and Abilities:** When the elements of a Model EEO Program were juxtaposed with the OCR, the Booz Allen team determined that certain elements are not in place. For example, some staff members lack the requisite skills, abilities, and training to effectively perform the duties of their positions, thereby diminishing the effectiveness of the Divisions/Teams.

- **Skill and Abilities:** Neither OCR nor the Field has the requisite statistical resources on their staffs to comprehensively collect and analyze data to achieve a Model EEO Program.
- **Performance of Duties:** Several Civil Rights Service Providers either lack relevant training, annual refresher training, or experience to assist them with effectively performing the duties and responsibilities of their positions, resulting in the dissemination of information that is inconsistent with 29 C.F.R. 1614 and other related laws and statutes.
- **Performance of Duties:** Several military personnel within OCR are not fulfilling the full scope of their job descriptions and instead are performing work commensurate with a lower grade level (i.e., administrative tasks).
- **Definition of Title:** Various staff within the USCG civil rights organization use unofficial titles, often causing unnecessary confusion with stakeholders regarding roles, authority, skills, and abilities.

7. RECOMMENDATIONS

During this 90-day Program Review, the Booz Allen team evaluated the USCG civil rights organization in its entirety and sought to identify concrete proposals for organizational change that would enable an increase in overall efficiency and effectiveness.

Throughout the formulation of the recommendations, the various findings were considered, and several overarching considerations were identified that will be critical to ensuring success in fulfilling the recommendations. These considerations are as follows:

1. While some of the recommendations set forth can be implemented within budgeted resources, the implementation of others will require additional funding and human capital. The USCG civil rights organization does not have adequate means to implement some of the recommendations provided.
2. The USCG civil rights organization will require long-term temporary support with the requisite analytical skills and subject matter expertise to support activities associated with the implementation of recommendations provided. This support may come in the form of contractor support and/or temporary hires.
3. The implementation of recommendations will need to be openly endorsed at the highest level of the Coast Guard organization to ensure the cooperation of, and participation by, key stakeholders.

Some of the recommendations presented may be similar to others and/or repeated in different sections of this document. This redundancy is intentional and demonstrates how different parts of the civil rights organization are interrelated and share dependencies. Also, it is noted that several of the recommendations will require further analysis and action prior to implementation. As an immediate next step, it is recommended that a comprehensive implementation plan be developed that provides a timeline, priorities, and an allocation of resources to complete each task.

7.1 CROSSCUTTING FACTORS

The recommendations presented are predicated on several crosscutting initial actions that serve as the foundation for the specific recommendations provided. These crosscutting actions have, in one way or another, an overarching impact on all recommendations presented and are as follows:

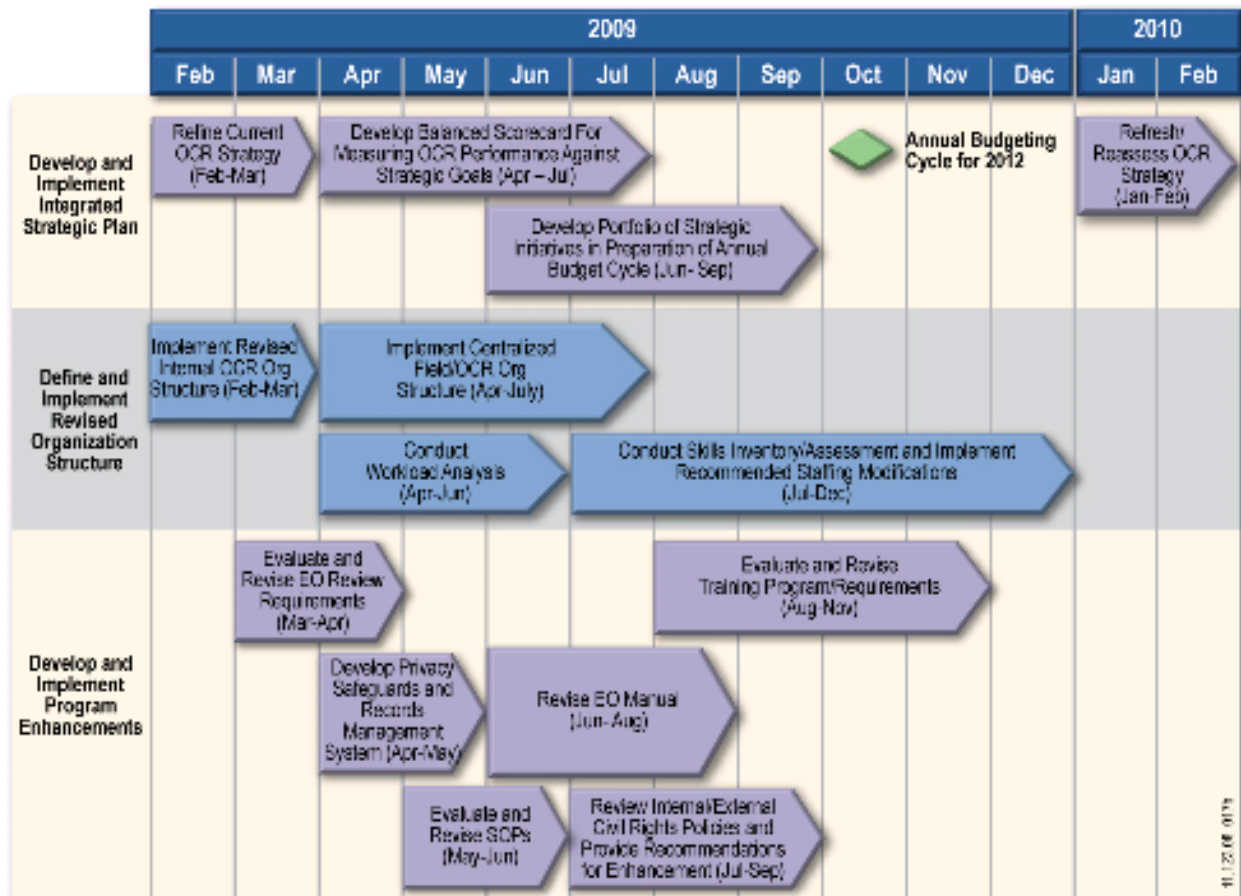
1. **Skills Assessment** – Determine whether an adequately skilled civil rights workforce is available, trained, and prepared to achieve the OCR and USCG's

civil rights objectives. Where such a workforce is not available, a comprehensive development program should be established to ensure that Civil Rights Service Providers are prepared to respond to existing and emerging requirements.

2. **Training Requirements** – Assess the current training program and develop a training suite for Civil Rights Service Providers, supervisors, and managers that is tailored to the specific audience. An evaluation of training needs, training modules, and subsequent implementation will enable all USCG employees to more aptly contribute to OCR’s mission.
3. **Workload Analysis** – Maximize workflow efficiencies and workforce planning by basing staffing decisions and training requirements on valid and reliable data. This would include developing a Work Breakdown Structure (WBS) that delineates the discrete work elements of OCR operations. Such an analysis can also serve as the basis for resource leveling, planning, and the management of the key areas within the USCG civil rights organization.
4. **Equal Opportunity Manual** – Revise the Equal Opportunity Manual such that it effectively serves as the guiding document for enterprise-wide civil rights operations.
5. **Standard Operating Procedures** – Develop comprehensive SOPs to standardize civil rights operations, improve communication, enhance performance, and ensure work consistency. This would include the development of SOPs for each team/division within OCR and the compilation of an accessible master volume.
6. **Strategic Planning** – Ensure that each team/division within OCR develops a strategic plan that feeds into the Director’s overall strategic plan. Through this activity, the senior staff will acquire ownership of the defined organizational objectives and goals.

The Notional Schedule shown in Figure 13 below indicates a variety of crosscutting activities associated with the implementation process.

Figure 13—USCG OCR Notional Implementation Schedule



Based on a review of the determined findings, the following specific recommendations are presented for consideration.

7.2 MANAGEMENT EXECUTION OF EEO RESPONSIBILITIES

OCR Organizational Framework

- Create the position of Senior Advisor reporting to the Director of OCR. This would be accomplished by converting the military Senior Equal Opportunity Compliance Officer position currently residing in the Compliance and Liaison Division to a civilian Senior Advisor billet. The new Senior Advisor position would be filled with a civilian GS-15 civil rights professional responsible for providing civil rights programmatic guidance to the Director and assisting with leadership and strategic responsibilities.

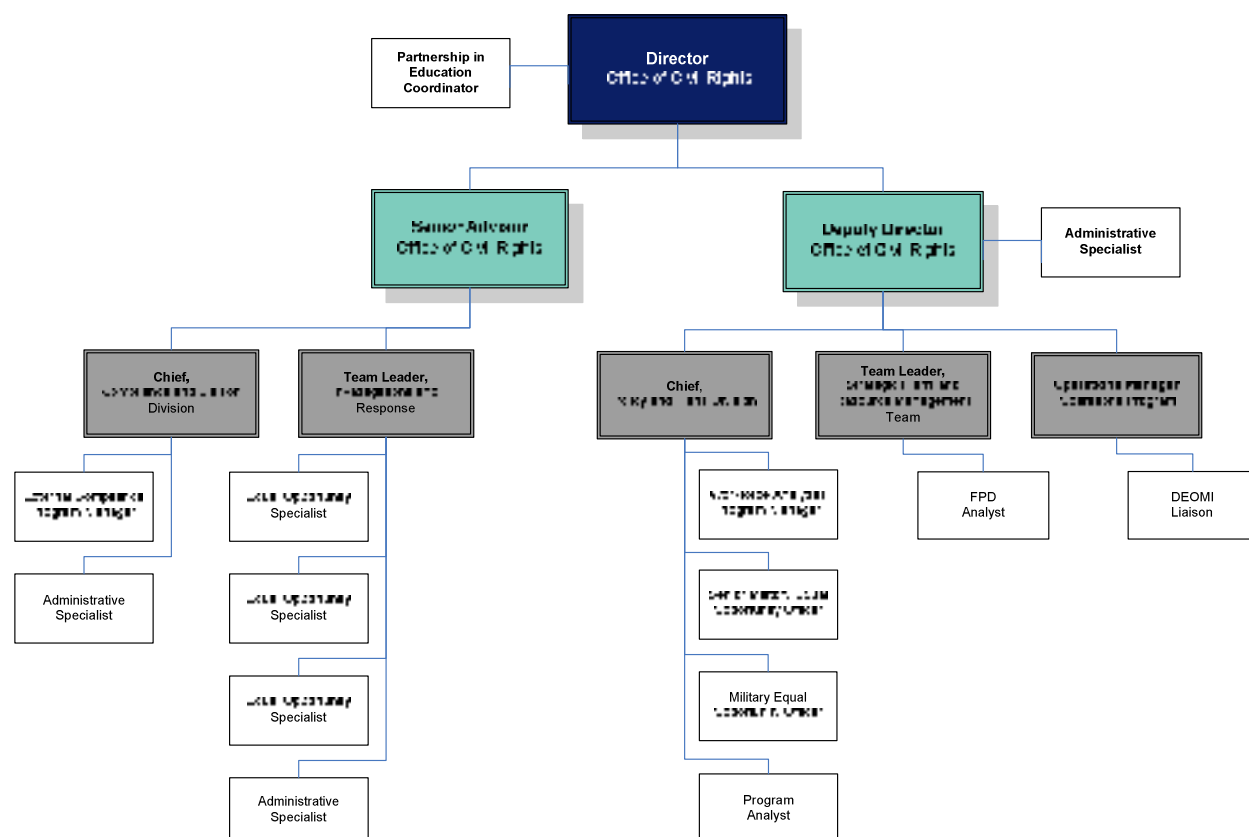
- Leverage the operational expertise of the military Deputy of OCR by making the Deputy responsible for OCR operational and non-statutory activities, including budgeting, resource management, strategic planning, and oversight. Align the Strategic Plans and Resource Management Team and the Policy and Plans Division under the Deputy Director.
- Convert the existing Instructional Systems Specialist position currently residing in the Policy and Plans Division to an Operations Manager position reporting to the Deputy. This position would, among other duties, be responsible for operations management and training requirements oversight.
- Move the vacant Program Analyst position from the Strategic Plans and Resource Management Team to the Policy and Plans Division. This position would be filled by an individual with strong writing and analytic skills who would also provide subject matter expertise in support of the EO Review function.
- Move the Administrative Specialist position from the Policy and Plans Division to the Investigations and Response Team to be responsible for administrative requirements associated with the statutorily required complaint processing activities.

In the current OCR organizational framework, the Director is supported by a military 0-6 Deputy, who rotates on a 2-year cycle and supports the Director in programmatic and strategic activities. However, the associated subject matter expertise and familiarity with civil rights program requirements is generally not expected of USCG officers. Therefore, the Deputy cannot be expected to become a subject matter expert in civil rights matters or provide the Director with in-depth strategic or programmatic civil rights guidance. This leaves a leadership gap in the current operating model. Military members can, however, be reasonably expected to bring a variety of operational skills and experience such as resource management, budgeting, strategic planning, performance metrics, and oversight. This recommendation will close the leadership gap by providing additional senior-level civil rights expertise and leveraging the operational expertise of the military 0-6 and other military personnel.

As shown in Figure 14 below, the Deputy would have three direct reports, consistent with the operations focus, consisting of the Strategic Plans and Resource Management Team Lead; the Chief, Policy and Plans Division; and a newly established Operations Manager position. The Senior Advisor would have two statutorily required programmatic components in his or her direct reporting line—the Compliance and Liaison Division and the Investigations and Response Team. It is also recommended that the vacant Program Analyst position be moved from the Strategic Plans and Resource Management team (which appears to be adequately staffed) to the Policy and Plans Division.

Note: The aforementioned recommendations for the OCR organizational framework do not require creation of any new staff positions.

Figure 14—USCG OCR Proposed Architecture



USCG Civil Rights Reporting Structure

- Restructure USCG civil rights operations to enable clear accountability for business results across the organization by centralizing civil rights operations. This restructuring can be accomplished by placing the Field Civil Rights Service Providers under the direct oversight of the Director of OCR with Area Equal Opportunity Managers reporting to the Director instead of directly to Field Commanders.
- Establish a solid-line reporting relationship from Area Equal Opportunity Managers to the Director. In addition, establish a solid-line reporting relationship of the Field Civil Rights Officers to the Area Equal Opportunity Managers.

Under the current decentralized organizational framework, Areas/Districts have used non-standardized and individualized approaches resulting in the implementation of inconsistent policies, processes, and procedures across the civil rights organization. In

addition, work products and services vary in quality and effectiveness, resulting in uneven mission performance.

Under the recommended reporting structure, the OCR Director would directly oversee and evaluate the performance of the Area Equal Opportunity Managers who, in turn, would evaluate the performance of the Field Civil Rights Officers. The USCG civil rights organization should operate as a single centralized body and adhere to a chain-of-command that discourages variance from defined business processes. It is expected that implementation of a centralized organizational structure would result in significant enhancements in standardized operating procedures, organizational cohesion, and accountability.

Strategic Planning

- Assuming the inception of a centralized USCG civil rights organization, develop an integrated strategic plan to better enable the organization to execute and deliver on its mission. This strategic plan should incorporate input from key stakeholders, be well communicated to employees, and cascaded across OCR and throughout the Field to ensure consistency of focus across all areas of the USCG civil rights organization.
- Identify the “strategic initiatives” that would be drivers of the OCR strategy as well as that of USCG. These initiatives should then be prioritized for funding and implementation in any given fiscal year based on their expected impact.

Implementing an integrated strategic planning framework would provide OCR leadership with the necessary tools to effectively manage the performance of the organization. Such a plan would also enable OCR’s active and successful participation in the USCG budgeting process. Additionally, an integrated approach would ensure that all levels of OCR are working toward common goals as strategic objectives are cascaded to the different units across the organization. This framework would also help to drive accountability for achieving the mission of the OCR across the organization because ownership of strategic objectives would be assigned to specific members of the senior staff.

Social Media and Blog Activity

- As a part of the Coast Guard Modernization, establish an “Official USCG Blog.” This medium would serve as a mechanism to convey key messages, thereby minimizing confusion and misinformation disseminated through other unofficial blogs.
- In addition to facilitating communications throughout the USCG, use the “Official USCG Blog” to present information and data geared toward refuting

blatant misstatements and false allegations that have appeared on unofficial blog sites, thereby protecting the credibility of the USCG workforce and its activities.

- Disable access to unofficial blog sites at USCG work locations where it is determined that content posted on such sites is false.

Social media are having a positive impact on government agencies seeking to communicate their messages and encourage collaboration. Increasingly, government agencies are using blogs to communicate with their workforces to highlight upcoming events, share best practices, and provide updates on policy developments. Blogs in particular are an effective facilitator of communication between individuals and a larger audience and have been leveraged as an important tool of communication between organizations and their staffs. The relative ease of use, capacity to reach a large audience, and informal nature of a blog can, however, also be used for purposes detrimental to an organization. Without stifling what is considered to be freedom of expression, organizations face challenges when confronted with blogs used for a competing purpose.

To further reap the benefits of social media, it is recommended that USCG dedicate resources to establish an “Official USCG Blog” for the purpose of enhancing communication among all elements of the USCG. In addition, this would be an opportunity to present accurate information and facts regarding significant matters appearing on unofficial blog sites that are reported falsely or inaccurately. The development and maintenance of an “Official USCG Blog” would require oversight by an individual with a strong public relations/communications background in order to adequately manage the content and to ensure that messaging is appropriate.

7.3 PRIVACY AND RECORDS MANAGEMENT

- Institute a privacy and records management program based on the “Updated DHS Policies and Procedures Regarding the Handling of Personnel-Related Data” memorandum issued by DHS, as well as other relevant USCG guidance.
- Develop a SOP regarding the handling of PII and other information to be treated as confidential. This SOP should be individually signed by all civil rights personnel to affirm full understanding of the requirements contained therein and the consequences of deliberate release of PII and/or other information intended to be treated as confidential.
- Develop a records management system that describes, for each type of record, where it should be retained, the various classifications of records, the applicable policies, and how the complaint records should be maintained.
- Designate the External Compliance Program Manager within the Compliance and Liaison Division as the responsible official for privacy and records

management matters. This would include serving as the Privacy Point of Contact for OCR, enforcing privacy guidelines within OCR, and overseeing a viable records management system.

- Revise the Equal Opportunity Manual to provide detailed instructions on the handling of PII and other information to be treated as confidential. Also, revise the Equal Opportunity Manual such that it provides a step-by-step process to determine whether the release of documents is appropriate.

The personal nature of complaint files places a high degree of importance on securing these records. Keeping such information private and secure will also guard against the inappropriate posting of confidential information in other forums such as blog sites. Establishing specific, written policies to safeguard against the accidental, negligent, or willful exposure of personal data is a prerequisite for achieving OCR's vision. Additionally, every individual who maintains or accesses PII must be aware of, and trained on, appropriate privacy policies.

Employing a comprehensive set of privacy and records management policies will help to ensure that OCR is unencumbered by information breaches and lack of trust while striving to achieve its vision for the USCG workforce. Such policies will also help ensure the secure and appropriate handling of documents throughout the complaint process, thereby providing OCR with the confidence and ability to focus on its strategic goals rather than having to shift its focus to incident management activities. Additionally, a clarification of language contained in the Equal Opportunity Manual will not only ensure that OCR staff are legally compliant, but will also protect the privacy rights of those who are placing their trust in OCR.

7.4 PROGRAM ELEMENTS

EO Reviews

- Redesign the EO Review process from end to end to increase the value and effectiveness of this function. Review the current EO Review process and develop metrics and measurable outcomes to define success.
- Develop a business case analysis for EO Reviews that fully considers OCR's core mission, functions, and programs. This analysis should consider the specific reasons for an established number of EO Reviews, the rationale for particular site selections, quantifiable measures of success, available dedicated resources, and any other strategic or regulatory drivers that would necessitate EO Reviews.
- Redefine the position requirements for individuals participating in the EO Review process to reflect the specific skills and abilities required to conduct substantive analysis and high-level technical writing.

- Design and implement a suite of metrics that measures process efficiency and the rationale for valuing the benefits of the EO Review process. Develop and implement a mechanism to track and report these metrics against performance targets.
- Revise the Equal Opportunity Manual to provide additional specificity regarding the purpose, format, and structure of EO reviews.
- Develop a training course for EO Review team members on various data collection methods and the process of applying statistical techniques to analyze, describe, and evaluate trend data.

A comprehensive business case analysis is essential to provide a verifiable basis for the number and location of EO Reviews conducted. The business case should clearly identify the business drivers for EO Reviews, measures of success, implications and scope of EO Reviews, resource requirements, and estimated financial costs. An added benefit of a strong EO Review business case will be the ability to deliver a consistent message to stakeholders regarding expectations for the EO Review process and how EO Reviews would be implemented and managed.

It is also suggested that upon completion of the business case analysis that OCR establish a Working Group consisting of the Chief, Policy and Plans Division; Area Equal Opportunity Managers; and other relevant stakeholders. This Working Group would collaborate periodically to assess progress, share best practices, and analyze the aggregate results of EO Reviews completed. This collaboration would serve as the basis of a quarterly report to be delivered to the Director.

To enhance the EO Reports with more data, additional tailoring to specific commands and customized recommendations, it is essential that team members possess the requisite skillset to do so. Establishing a training course for this purpose would greatly enhance the process and quality of work. In addition, these characteristics should be considered as essential skillset components for prospective new hires.

Review and Assessment of the Office of Civil Rights EEO Training Programs

- Transition training oversight responsibilities from the Policy and Plans Division to a newly created Operations Manager (reporting to the Deputy) who will manage all aspects of OCR training processes.
- Conduct a training needs assessment of the USCG civil rights organization to assess current training programs and knowledge gaps. This assessment should also consider regulatory requirements, business drivers, and the skills and abilities of Civil Rights Service Providers.
- Revise the USCG service-specific portion of the DEOMI Equal Opportunity Advisor Program to include training by civilian EEOC certified trainers who

would provide instruction in the areas of EEO Counseling and complaint processing. This training curriculum would include, among other topics, instruction in basic EEO Counseling and other related activities, such as writing reports of counseling, identifying issues, conducting inquiries, and pursuing resolution options pursuant to Title 29 C.F.R. 1614 and MD-110.

- Professionalize the OCR EEO Counseling Program by ensuring that EEO Counselors receive training as required by the EEOC, including 8 hours of annual EEO Counselor training (“refresher training”) and the required 32-hour training requirement for new federal EEO Counselors. In addition, require counselors to fulfill a bi-annual training requirement by taking an Interviewing Techniques, Conflict Resolution, or Facilitation course.
- Institute a mandatory annual training requirement for supervisors and managers through which participants are taught their responsibilities with respect to EEO and affirmative employment. Provide refresher training in a computer-based format that can be used in any location.

A training needs assessment will be critical in identifying knowledge gaps and determining whether the gaps can be addressed through training. The training needs assessment will provide the information required to develop a training plan based on the needs of the USCG civil rights organization as well as standardized training materials. The transition of training oversight responsibilities to an Operations Manager who is responsible for broad areas of administrative and management functions will ensure that training needs are assessed in the context of OCR’s strategic goals and are evaluated relative to resources, costs, and other relevant factors. In addition, the Operations Manager would ensure that training requirements are fulfilled as required and take the necessary followup action where non-compliance is determined.

The critical role of the EOA in the complaint resolution process necessitates that the training curriculum be restructured to ensure that EOAs are adequately trained to conduct inquiries into informal complaints of discrimination and facilitating the mediation and resolution of informal complaints. The addition of a training component for EOAs led by civilian EEOC certified trainers will ensure that EOAs receive the requisite training on complaint processing pursuant to 29 C.F.R. 1614 and MD-110. Also, a mandatory annual training requirement for supervisors and managers will assist these individuals in recognizing, addressing, and preventing actions and behaviors that could be construed as inappropriate and discriminatory.

Complaint Processing

- Recruit and hire full-time experienced EEO Counselors and Civil Rights Service Providers and discontinue the use of collateral duty staff.

- Retain contractors or hire additional personnel experienced in the preparation of FADs to support the additional responsibility of issuing final actions for military EO complaints and other Final Decisions.
- Revise the Equal Opportunity Manual to include statutory references and citations so that a reader can cross-reference relevant statutory language with the guidance provided. In addition, add content that addresses the roles of Field and OCR personnel throughout the complaint process, pursuant to 29 C.F.R. 1614.
- Ensure that all Civil Rights Service Providers receive training on intake and complaint processing at both the Informal and Formal stages. This would include training designed to ensure that Civil Rights Service Providers understand their role of neutrality throughout the counseling process, pursuant to 29 C.F.R. 1614.

The aforementioned recommendations will standardize complaint processing activities and ensure that complaint processing methods are consistent in the Field locations. Additionally, a revision of the Equal Opportunity Manual will provide clear guidance to Field personnel on their civil rights/EEO duties and responsibilities and will also ensure consistency in operations throughout the Field.

With respect to additional resources required to support military Final Actions, it has been determined through this Program Review that the current Investigations and Response Team does not currently possess the requisite resources to assume this additional responsibility. Although it is expected that the recommended workload analysis would reveal this conclusion through data gathered, it is noted that DHS currently performs FAD analyses with additional dedicated resources. In addition to military complaints, another group of complaints that were not anticipated – that is, non-statutory complaints – may soon be delegated by DHS to the USCG OCR for FAD processing as well. The augmentation of the Investigations and Response Team with FAD writer(s) will expedite the issuance of FADs and also provide the requisite subject matter expertise to issue comprehensive and high-quality decisions.

Resources and Planning

- Provide the Strategic Plans and Resources Management Team Lead with additional training in budget development and USCG-specific budget justification activities to ensure long-term success and effectiveness.
- Ensure that personnel who are assigned to the OCR budget process undergo training in statutory and regulatory obligations of the office.

- Develop an SOP that articulates that the Strategic Plans and Resource Management Team should handle all operational aspects of budget requests for OCR.
- Assess additional funding needs associated with augmented responsibilities for the Investigations and Response Team, i.e., the responsibility of issuing FADS in military EO complaints.
- Assess and take appropriate action regarding training needs for EO Review team participants.
- Use the OCR Strategic Plan to advocate for resource requirements by demonstrating how performance goals align with budget requests.
- Create a separate and specific AFC 56 training funds request based on the results of a training needs assessment.

Recurring and emerging training needs, complaint processing requirements, and other programmatic needs necessitate that a strong budget planning and request framework is in place. This will require that the Team Lead of the Strategic Plans and Resources Management Team is fully prepared to lead these activities. This also requires active coordination between the Strategic Plans and Resources Management Team and the various OCR Division Chiefs/Team Leaders. Furthermore, the Team Lead must ensure that the Strategic Plans and Resources Management Team is performing all related functions and that associated responsibilities are not being performed by members of the various teams/divisions who do not possess the requisite understanding of the USCG financial system.

Through the OCR Strategic Plan, OCR can identify key initiatives to be prioritized for funding and implementation in any given fiscal year based on their expected impact on the strategic objectives of the OCR and the USCG. As this portfolio of strategic initiatives is developed, OCR will be able to build business cases to demonstrate why the funding of a particular initiative is important.

7.5 OCR'S OFFICE CLIMATE AND ITS CAUSES AND EFFECTS

- Through facilitated workshops, help OCR senior staff members to understand their own and other stakeholders' underlying interests and concerns and thereafter to focus on those interests rather than on stated positions and demands.
- Through coaching sessions, guide the Director, Deputy Director, and senior staff to pursue more collaborative methods of working with each other. This could be accomplished through the strategic planning process and other OCR initiatives such as the MD-715 Report.

- Strengthen leadership and management skills in structured coaching sessions that increase understanding of group dynamics. Provide guidance and tools to diagnose causes of ineffective behavior and increase overall organizational effectiveness.
- Ensure that individuals are held accountable for acts of insubordination.

Through the implementation of these recommendations, there will be a renewed focus on common, mission-critical goals and objectives that stakeholders will embrace and work collectively to achieve. The result will be a shift in focus from negative behaviors to mission accomplishment. In addition, by participating in a disciplined planning process, civil rights staff will bond as a team, creating a cohesive body that collaborates effectively and communicates informally as well as formally when needed. These benefits will become institutionalized within the culture and shift the climate focus from personalities to performance. It is also anticipated that through these recommendations, blog comments will be seen as useful mirrors to reflect more positive perceptions of the organization.

OCR leadership should focus on creating a cordial and efficient work environment where its staff can flourish and are acknowledged for high-quality performance. Senior staff in particular, will need to strive to work past personal issues and, instead, concentrate on what is best for the USCG civil rights organization rather than personal preferences. In addition, dysfunctional and disruptive behavior should not be tolerated.

7.6 REVIEW AND ASSESSMENT OF OCR SKILLS AND ABILITIES

- Conduct a skills assessment to identify the core competencies required to support the OCR mission by assessing existing job descriptions and key skills required to support each programmatic function. Refine job vacancy announcements to ensure that prospective candidates are evaluated against clearly defined skills requirements.
- Conduct a skills inventory for current staff to measure employee skills and their relationship to organizational goals and also to identify skillsets required for particular job roles.
- Perform a gap analysis to determine where the current staff meet core competencies and identify where competency gaps exist by comparing the core competencies required to support the OCR roles with the results of the skills inventory of the current staff.
- Determine whether the current program functions are statutorily required and/or are necessary to support the OCR mission in order to determine budget priorities and resource allocation.

Implementation of these recommendations will enable OCR to effectively align its human capital resources by identifying and aligning the skills and abilities of the OCR staff with the core processes required to support the mission and strategy of the organization. In addition, a skills assessment will clearly define roles and responsibilities by establishing accurate job descriptions and responsibilities for all employees within the civil rights organization. This will also ensure that employees either have the appropriate set of skills to perform their designated roles and responsibilities, that there is an effective training plan to assist them with acquiring the requisite skills, or that other options are explored that are commensurate with their existing skillset. And finally, the implementation of these recommendations will improve the morale of the OCR staff by reducing frustrations caused by misaligned skillsets.

APPENDIX A

COAST GUARD PERSONNEL MANUAL CHAPTER 4.A.

4.A.4. Using Abbreviations in Messages about Transferring Coast Guard Members

The Personnel and Pay Procedures Manual, PSCINST M1000.2 (series) contains a list of approved abbreviated equivalents for certain phrases, sentences, or groups of sentences employed in transfer orders. Commands authorized to issue them should use these and any other abbreviations to the maximum extent possible provided the document retains clarity, an overriding consideration.

4.A.5. Tour Lengths

4.A.5.a. Officers

Tour lengths for officers are listed below. They represent assignment goals which Commander (CGPC-opm) strives to attain in managing the officer corps. It is not realistic to expect every member will experience these tour lengths with each assignment since Commander (CGPC-opm) has the authority to adjust individual tour lengths to meet Service needs. While Commander (CGPC-opm) is responsible for balancing these needs with those of the member, the personnel system's dynamic nature sometimes precludes completing a tour of duty as described below. An individual officer's orders prescribe his or her tour length. Commander (CGPC-opm) considers extending or reducing tour lengths for officers in billets individually, consistent with Service needs.

1. Afloat (CONUS AND OCONUS): Two or three years as follows.

Two-year tours	Cutters; USN Exchange; SDQ Western Hemisphere Group; UNITAS; CWO WPB CO; CWO MPA; and all other CWOs assigned to WAGB, WHEC, WIX, WLM XO, WTGB, and WMECs.
Three-year tours	LEDET OICs , WLB CO; WTGB CO; WIX CO; WMEC EO; WAGB AEO; CWO EO; and all other CWOs assigned to GLIB, WLB, WLM, WLI, AND WLIC CO.

2. Ashore (CONUS): Four years except:

a. Aviation Units:	
Three-year tours	O-6 COs; CO AIRSTA Washington; precommand OPS, EO, and XO; and POPDIV Branch Chief.
Two-year tours	O-5 COs and POPDIV duty.
b. Marine Safety Units (MSO, MSD and MSU):	
Three-year tours	CO and XO; Strike Team Duty, and MSDs.
Two-year tours	CVS Training (O-1, O-2, and CWO).

COAST GUARD PERSONNEL MANUAL CHAPTER 4.A.

c. Headquarters, Area, MLC, and District:

Three-year tours	CO, XO, and OPS; VTS duty; ICC; TACLET; ITD; Training Teams; Non-PHS O-1s and above at Groups; CG Academy Cadet Branch Chief and Company Officers; OCS Staff; CGPC Division Chiefs; CGPC-opm staff; CGPC-epm Branch Chief; Assignment Officers, and CAC Coordinators; O-2s, and OPBAT.
Two-year tours	CG Academy Assistant Superintendent
18-month tours	First tour OCS O-1s and O-2s in staff jobs to rotate to an operational unit, as desired, during the normal summer rotation period.

d. Headquarters, Area, MLC, and District staffs:

Three-year tours	G-CPA staff; G-CC staff; Chief Trial Judge (G-L-4); and Chief, G-CBU-2, O-2s (unless on post graduate/advanced training payback when it will be a four-year tour).
Two-year tours	Area or district Chiefs of Staff, and Area or district Chiefs of Operations; MLC Deputy Commanders; Ethnic and Gender Policy Adviser, Executive Assistants to G-C, G-M, G-O, G-S, G-W; G-CC, G-CP, G-CQ, G-CX, G-CPA, G-CBU, G-MO, G-OP, G-OC, G-SL, G-SC, G-SE, G-H, and G-WR; Deputies to G-CCS, G-CI, G-A, G-H, G-WK, and G-WT.
18-month tours	First tour OCS O-1s and O-2s to rotate to an operational unit, as desired, during the normal summer rotation period.

e. Medical. Five-year tours: PHS CONUS clinical.

3. Duty outside a Coast Guard unit or staff (except as previously noted): Two years except:

5 years	Astronaut program.
4 years	CG Motion Picture and TV Liaison.
3 years	Navy Flight School instructor; CG Liaison Officer - White House Communications Agency; CG Liaison Officer - Office of Secretary of Transportation (M-30).
2 years	Congressional Detailees or Fellows
DUINS	As noted in transfer orders.

4. Involuntary extension of tour lengths. Assignment tour lengths may be involuntarily extended if dictated by the needs of the Service. This policy applies only to those members who are currently serving INCONUS ashore and are candidates for another INCONUS ashore assignment. Commander (CGPC-opm) is the approval authority for officers.

APPENDIX B

ALCOAST 548/08

COMDTNOTE 5700

SUBJ: SOCIAL MEDIA - UNOFFICIAL INTERNET POSTS

A. COMDT COGARD WASHINGTON DC 221746Z SEP 08/ALCOAST 457/08

B. OPERATIONS SECURITY (OPSEC) PROGRAM, COMDTINST M5510.24 (SERIES)

C. CIVILIAN PERSONNEL ACTIONS: DISCIPLINE, PERFORMANCE, ADVERSE ACTIONS APPEALS, AND GRIEVANCES, COMDTINST M12750.4 (SERIES)

D. PUBLIC AFFAIRS MANUAL, COMDTINST M5728.2 (SERIES)

E. THE COAST GUARD FREEDOM OF INFORMATION (FOIA) AND PRIVACY ACTS MANUAL, COMDTINST M5260.3 (SERIES)

F. LIMITED PERSONAL USE OF GOVERNMENT OFFICE EQUIPMENT, COMDTINST 5375.1 (SERIES)

G. STANDARDS OF ETHICAL CONDUCT, COMDTINST M5370.8 (SERIES)

H. STANDARDS OF CONDUCT, LOBBYING ACTIVITIES, COMDTINST 5370.7 (SERIES)

1. THIS ALCOAST PROVIDES INTERIM DIRECTION FOR COAST GUARD PERSONNEL WHO DESIRE TO MAKE UNOFFICIAL INTERNET POSTS ON COAST GUARD RELATED TOPICS. THE TERM COAST GUARD PERSONNEL IN THIS ALCOAST REFERS TO COAST GUARD ACTIVE DUTY, RESERVE, AND CIVILIAN EMPLOYEES AND AUXILIARY VOLUNTEERS. THE TERM UNOFFICIAL INTERNET POSTS IN THIS ALCOAST REFERS TO COAST GUARD PERSONNEL WHO EXPRESS THEIR COAST GUARD RELATED THOUGHTS, IDEAS, KNOWLEDGE, EXPERIENCE, AND OPINIONS BY POSTING ANY COAST GUARD RELATED INFORMATION TO ANY (COAST GUARD OR OTHER) INTERNET SITE. UNOFFICIAL INTERNET POSTS ARE PERSONAL EXPRESSIONS DEVELOPED AND RELEASED BY A MEMBER IN AN OFF-DUTY STATUS AND ARE NOT INITIATED BY ANY PART OF THE COAST GUARD ORGANIZATION OR REVIEWED WITHIN ANY OFFICIAL COAST GUARD APPROVAL PROCESS.

2. IAW REF A, COAST GUARD PERSONNEL WHILE IN AN OFF-DUTY STATUS (OR AS SPECIFIED BY PARAGRAPHS 3.B. AND 3.C. BELOW) ARE AUTHORIZED TO MAKE INTERNET POSTS ON COAST GUARD RELATED TOPICS AS OUTLINED IN THIS ALCOAST. THE COAST GUARD PERFORMS VALUABLE SERVICES AROUND THE WORLD EVERY DAY AND THERE IS NOBODY IN A BETTER POSITION TO TELL THIS STORY THAN EACH OF YOU. AS A RESULT, THE COAST GUARD ENCOURAGES EMPLOYEES AND VOLUNTEERS TO RESPONSIBLY ENGAGE IN UNOFFICIAL INTERNET POSTING IAW THE GUIDELINES PROVIDED BELOW THAT ARE DESIGNED TO PROTECT THE COAST GUARD AND ITS MEMBERS FROM ANY HARM ASSOCIATED WITH A POTENTIAL UNAUTHORIZED RELEASE OF PROTECTED OR NONPUBLIC INFORMATION. FURTHERMORE, WE WANT TO PROTECT COAST GUARD PERSONNEL FROM THE RISKS ASSOCIATED WITH THE AVAILABILITY OF PERSONAL INFORMATION AND POTENTIAL FOR TARGETING. MORE INFORMATION ON THESE CONCERNS MAY BE FOUND AT:

[HTTP://WWW.NORWICH.EDU/ABOUT/NEWS/2007/011507-SOCIALNETWORK.HTML](http://www.norwich.edu/about/news/2007/011507-socialnetwork.html)
(CHANGE TO LOWER CASE LETTERS).

3. UNOFFICIAL INTERNET POSTING GUIDELINES. COAST GUARD PERSONNEL WHO POST CONTENT ON THE INTERNET ABOUT THE COAST GUARD BEAR A RESPONSIBILITY FOR ENSURING INFORMATION DISCLOSED (INCLUDING PERSONAL COMMENTS) IS ACCURATE AND APPROPRIATE. COAST GUARD PERSONNEL SHOULD KEEP IN MIND HOW THEIR POSTS WILL REFLECT UPON THEMSELVES, THEIR UNIT, AND OUR SERVICE. THE FOLLOWING GUIDELINES ARE ESTABLISHED TO ASSIST WITH THIS RESPONSIBILITY:

A. IDENTIFYING ONESELF BY COAST GUARD TITLE, POSITION, AUTHORITY, SKILL SET, STATUS (ACTIVE, RESERVE, CIVILIAN, AUXILIARY), RANK/RATE OR PUBLIC OFFICE IS AUTHORIZED. COAST GUARD PERSONNEL ENGAGED IN UNOFFICIAL INTERNET POSTING, HOWEVER, SHALL TAKE STEPS TO AVOID GIVING THE PERCEPTION OF POSTING IN AN OFFICIAL CAPACITY.

B. RELEASE OF COAST GUARD E-MAIL ADDRESSES, TELEPHONE NUMBERS, OR

FAX NUMBERS NOT ALREADY PUBLICLY RELEASED, INCLUDING THE POSTERS WORK CONTACT INFORMATION, IS NOT AUTHORIZED.

C. THE POSTING OR DISCLOSURE OF INTERNAL COAST GUARD DOCUMENTS OR INFORMATION THAT THE COAST GUARD HAS NOT OFFICIALLY RELEASED TO THE PUBLIC IS NOT AUTHORIZED. THIS POLICY APPLIES NO MATTER HOW A POSTER COMES INTO POSSESSION OF A DOCUMENT. EXAMPLES INCLUDE BUT ARE NOT LIMITED TO MEMOS, E-MAILS, MEETING NOTES, MESSAGE TRAFFIC, ARTICLES FOR CG PUBLICATIONS, WHITE PAPERS, PELORUSES, PUBLIC AFFAIRS GUIDANCE, AND ALL PRE-DECISIONAL MATERIALS. ADDITIONALLY, FOR OFFICIAL USE ONLY (FOUO) AND PERSONAL IDENTIFIABLE INFORMATION (PII) SHALL NOT BE RELEASED IN UNOFFICIAL INTERNET POSTS.

D. COAST GUARD PERSONNEL ARE RESPONSIBLE FOR ADHERING TO COAST GUARD REGULATIONS AND POLICIES CONCERNING OPSEC, INFOSEC, AND THE PRIVACY ACT AS IN ALL OTHER FORUMS OF COMMUNICATION. REF B COVERS THE SPECIFICS OF THE OPSEC PROGRAM. UNAUTHORIZED DISCLOSURE OF PROTECTED INFORMATION MAY RESULT IN ADVERSE DISCIPLINARY ACTION INCLUDING POTENTIAL VIOLATIONS OF THE UCMJ OR CIVILIAN PERSONNEL RULES UNDER REF C.

E. THE RELEASE OF COAST GUARD INFORMATION THAT IS PROHIBITED FROM RELEASE BY REFS D AND E IS NOT AUTHORIZED. AS A GENERAL RULE, RELEASING YOUR PERSONAL OR MEDICAL INFORMATION, ALTHOUGH NOT RECOMMENDED, IS AUTHORIZED, HOWEVER, RELEASING ANOTHER COAST GUARD MEMBERS INFORMATION, AS WELL AS CLASSIFIED, OPERATIONAL, PROPRIETARY, OR INVESTIGATORY INFORMATION, IS NOT AUTHORIZED.

F. A PHOTO, VIDEO, OR SOUND RECORDING TAKEN AT A COAST GUARD UNIT BY COAST GUARD PERSONNEL IN ANY DUTY STATUS IS CONSIDERED OFFICIAL COAST GUARD MEDIA, AS WELL AS MEDIA TAKEN BY PERSONNEL ENGAGED IN A MISSION AWAY FROM THE HOME UNIT. ALL MEDIA THAT IS RELEASABLE PER CHAPTER 5 OF REF D MAY BE POSTED UNOFFICIALLY BY COAST GUARD PERSONNEL. NEWSWORTHY MEDIA SHOULD BE RELEASED OFFICIALLY TO NEWS ORGANIZATIONS IN CONJUNCTION WITH OR COPIED TO A UNITS SERVICING PUBLIC AFFAIRS OFFICE BEFORE POSTING UNOFFICIALLY. ALL UNIT COMMAND CADRE ARE REMINDED TO PROHIBIT THE UNOFFICIAL POSTING OF OFFICIAL COAST GUARD MEDIA THAT IS NOT RELEASABLE PER CHAPTER 5 OF REF D, E.G., LAW ENFORCEMENT SENSITIVE, INVESTIGATION RELATED, AND MEDIA THAT IS IN POOR TASTE AND/OR NOT IN KEEPING WITH SECURITY, ACCURACY, POLICY, AND PROPRIETY. COAST GUARD RELATED MEDIA TAKEN WHILE COAST GUARD PERSONNEL ARE IN AN OFF-DUTY STATUS FROM PUBLIC AREAS, E.G., PHOTO OF A CUTTER TAKEN FROM A PUBLIC PIER WHILE ON LIBERTY, IS CONSIDERED PRIVATE IMAGERY AND IS NOT SUBJECT TO THIS POLICY.

G. USE OF PROTECTED COAST GUARD WORDS OR SYMBOLS OUTLINED IN CHAPTER 3.E. OF REF D MUST BE APPROVED BY COMDT (CG-09223) WHERE REQUIRED TO PREVENT THE IMPRESSION OF OFFICIAL OR IMPLIED ENDORSEMENTS.

H. USE OF COAST GUARD OFFICE EQUIPMENT WHICH INCLUDES, BUT IS NOT LIMITED TO, GOVERNMENT COMPUTERS, FAX MACHINES, COPIERS, TELEPHONES, E-MAIL SYSTEM, AND INTERNET ACCESS TO MAKE UNOFFICIAL INTERNET POSTS IS AUTHORIZED AS ALLOWED BY THE LIMITED PERSONAL USE OF GOVERNMENT OFFICE EQUIPMENT GUIDELINES IN REF F.

I. POSTING DURING OFFICIAL COAST GUARD WORK PERIODS, I.E., IN AN ON-DUTY STATUS, MAY BE AUTHORIZED FOR COMMAND APPROVED BREAKS IN THE WORK DAY, E.G., LUNCH OR MORNING/AFTERNOON BREAK. POSTING MAY ALSO BE AUTHORIZED AFTER THE WORKDAY WHERE LIBERTY IS CURTAILED DUE TO DUTY OR DEPLOYMENT, HOWEVER, POSTING SHOULD NOT BE ALLOWED WHILE ENGAGED IN OFFICIAL DUTIES SUCH AS STANDING WATCH.

J. AS WITH OTHER FORUMS OF PERSONAL PUBLIC ENGAGEMENT, COAST

GUARD PERSONNEL SHALL AVOID OFF DUTY BEHAVIOR THAT NEGATIVELY IMPACTS OR CONFLICTS WITH THEIR ABILITY TO EXECUTE THEIR DUTIES SUCH AS THE PROHIBITED PERSONAL CONDUCT DESCRIBED IN REFS G AND H. PERSONNEL SHOULD CONSULT THEIR LOCAL LEGAL OFFICE FOR AN ETHICS DETERMINATION PRIOR TO ENGAGING IN INTERNET ACTIVITY THAT COULD VIOLATE THE STANDARDS OF CONDUCT DETAILED IN REFS G AND H. REMEMBER OUR CORE VALUES AND GUARDIAN ETHOS.

K. COAST GUARD PERSONNEL SHOULD BE AWARE THAT SOME INDIVIDUALS AND GROUPS USE PUBLIC NETWORKING FORUMS TO GAIN INFORMATION THAT WILL ADVANCE THEIR CAUSES. THE COAST GUARD WILL BE PROTECTED FROM THIS THREAT AS LONG AS UNOFFICIAL POSTING IS CONDUCTED IN ACCORDANCE WITH THE GUIDELINES PROVIDED ABOVE AND POLICIES FOR RELEASE OF INFORMATION REFERENCED IN THIS ALCOAST.

4. COMDT (CG-092S) AND COMDT (CG-0922) ARE AUTHORIZED TO ISSUE CASE SPECIFIC GUIDANCE VIA LESS FORMAL MEANS AS NEEDED.

5. THIS INTERIM DIRECTION WILL BE UPDATED AS NEEDED AND FORMALIZED IN CHANGE 1 TO REF C.

6. COMDT (CG-092S) POC FOR POLICY QUESTIONS IS CDR GLYNN SMITH AT (202) 372-4602 OR GLYNN.C.SMITH(AT)USCG.MIL.

7. COMDT (CG-0922) POC FOR TACTICAL IMPLEMENTATION QUESTIONS IS CDR RON LABREC AT (202) 372-4627 OR RONALD.A.LABREC(AT)USCG.MIL.

8. RDML MARY E. LANDRY, DIRECTOR OF GOVERNMENTAL AND PUBLIC AFFAIRS, SENDS.

9. INTERNET RELEASE AUTHORIZED.

APPENDIX C

DEPARTMENT OF
HOMELAND
SECURITY
U. S. COAST GUARD
CG-4229 (Rev. 3-03)

DIGEST

APPROVAL: ☒
SIGNATURE: ☐
INFORMATION: ☐

From: T. A. Dickerson
CG-00H

8 February 2008

To: CG-00
CG-09

Re: BLOG POSTINGS ABOUT CG CIVIL RIGHTS PROGRAM

1. **Background:** Blog sites and commenters (most often anonymously) seemed to become motivated about the Coast Guard civil rights program during the [REDACTED], contributing images, links and online "analyses" of proceedings. Subsequently, they offered strands associated with the Coast Guard [REDACTED] civil rights complaint, and the high visibility noose incidents. Blogophiles (those fascinated with the medium) and blogoholics (those addicted to it) alike, offered me numerous postings and continue to do so.

Like the other programs under "analysis" from bloggers, my instincts have been to co-exist, irrespective of the substantially over-stated, mis-stated and specious information posted. However, the decentralized nature of the CG civil rights structure results in a cadre of personnel more susceptible to relying on information offered on blogs. In total, CG employs 27 full-time CRSPs in the field; these personnel report to local commands. An additional 20 or so personnel fulfill collateral duty roles as counselors and advisors. Collateral duty personnel receive pipeline training which varies widely as a function of its source. (Area civil rights directors sometimes offer a 4-day training; others might complete the 8-week DEOMI course, the service-specific portion of which needs work; and others rely on external venues such as the private market and EEOC). We are beginning to respond to training inconsistencies, but have not yet identified or adopted cohesive solutions. Combined with the episodic nature of local complaints, collateral duty personnel sometimes do not fully understand or appreciate the role and bearing they have in the overall civil rights program context.

2. **Situation:** Bloggers have begun to assert that they are receiving information about individual complaints from internal civil rights sources. As an aside, I have concluded that at least one of the sources is in my office. The mis-statements posted on blogs clearly match those which a group of four individuals have raised in a number of forums. Disclosure from another staff member of first-hand admission from one of the individuals to her involvement supports the conclusion I already reached.

The most disturbing by-product was the appearance that individuals were adjudicating complaints in a public forum in violation of EEOC regulation and the Privacy Act. Furthermore, lack of response on my part could be viewed as tacit approval of this egregious behavior.

I also have been surprised by the number of people who assume a personal basis for postings about me. I don't know the bloggers, and wanted to make that disassociation clear.

3. **Recommended Action:** I fully support and abide by the Constitutional right to free speech. However, the foregoing induced me to start an internal communiqué (enclosure 1), aimed at first-hand information to CRSPs in the field. While I harbor no naïve illusion that this or any communication will distill the mis-information being presented on blogs (in fact it may fuel it), I thought it important to make a statement, even if for symbolic purposes. I will continue this form of internal communication to our field CRSPs on an as needed basis.

Some of the more sweeping generalizations may always be subject to speculation and interpretation by third parties. Posting false information about individuals (in this case me) may have a negative bearing on one's reputation, and as such seems more actionable by the Coast Guard. For example, one blogger found a GAO report that criticized my last agency for its auditing and financial controls, and said I was responsible for it. However, I ran the civil rights office and had nothing to do with administrative services. Given the increased frequency in which blogs are providing untrue and defaming personal mis-statements, the Coast Guard may want to consider a more formal investigation of the blogs and bloggers by the Coast Guard Investigative Service or other appropriate resource.

Encl: (1) Coast Guard Director, Office of Civil Rights communiqué *Our Space*

Copy: CG-01

SIGNER'S COMMENTS

APPENDIX D

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

June 13, 2007

ACTION

MEMORANDUM FOR: DISTRIBUTION

FROM: Paul A. Schneider
Under Secretary for Management
Hugo Teufel III
Chief Privacy Officer

SUBJECT: Review of Safeguarding Policies and Procedures for
Personnel-Related Data

Given the recent data security incident at the Transportation Security Administration, Secretary Chertoff directed the Under Secretary for Management and the Chief Privacy Officer to ensure that appropriate policies and procedures are in place and fully implemented to safeguard personally identifiable information¹ (PII) of our personnel. Personnel-related data is a subset of PII and includes any PII about the Department of Homeland Security (DHS) employees or contractors held in systems such as human capital operations, security operations, financial operations, time and attendance systems, user name and log in systems, travel systems, and any other electronic systems or hard copy records where such information may be found.

Privacy security incidents can occur at any time and any place, wherever appropriate safeguards have not been followed. For this reason, we are directing all Component and Directorates to examine the entire breadth of the organization, even down to the smallest office so that DHS is in a position to better understand and identify possible issues before the next incident occurs.

To accomplish this undertaking, the Under Secretary and the Chief Privacy Officer request each Component and Directorate to do the following:

- **By June 27, 2007:** The Component/Directorate Head shall convene a Component/Directorate-level cross functional review team consisting of representatives from the offices that handle personnel-related data and provide the HQ Privacy Office with the primary point of contact for the team. The Component/Directorate-level review team will conduct a self-assessment of the

¹ "Personally identifiable information" is defined as any information that permits the identity of an individual to be directly or indirectly inferred, including any other information which is linked or linkable to that individual. This definition applies regardless of whether the individual is a U.S. citizen, legal permanent resident, a visitor to the U.S., DHS employee, or contractor.

handling of personnel-related data using the attached self-assessment form. See Attachment 1 for additional guidance.

- **By August 15, 2007:** The Component/Directorate Head shall submit to the Head Quarters (HQ) Privacy Office the completed assessment, along with verification and confirmation as to the accuracy and completeness of the self-assessment. The memo template in Attachment 3 may be used for this purpose. A cross-functional team from the Privacy Office, Human Capital Office, Office of Security, and Office of Chief Information Officer will review the self-assessment for follow-up action as necessary.
- **By September 15, 2007:** The Component/Directorate Head shall certify, using the memo template in Attachment 3, that all employees and contractors with access to personnel-related data have taken mandated privacy and information technology (IT) security awareness training approved or provided by the Chief Information Officer. Component/Directorate Head should submit the certification to the HQ Privacy Office. As part of this training, the Component Head shall emphasize that employees will be held accountable for their actions and subject to appropriate disciplinary action when their conduct fails to conform to Departmental privacy and security policies.
- **By September 15, 2007:** The Component/Directorate Head shall provide copies of the *Protecting & Handling Personnel-Related Data – Quick Reference Guide* in Attachment 2 to all employees as part of the combined training.

The Department takes very seriously its responsibilities to safeguard the personally identifiable information about the people that it employs. With identity theft on the rise creating not only a risk for the individual affected, but also a potential security threat, we must ensure that we do everything possible to safeguard this information. Thus, it is essential to keep the trust of the individuals, whose information we maintain, by protecting it and preventing any unauthorized disclosure. This review and the policies outlined herein intend to help all of us ensure these protections are in place.

Attachments

- Attachment 1: Review of Personnel-Related Data Policies and Procedures and Self Assessment
- Attachment 2: *Protecting & Handling Personnel-Related Data – Quick Reference Guide*
- Attachment 3: Verification and Confirmation Memorandum Templates (Self-Assessment and Training Certifications)

Background Materials

- Attachment 4: DHS Employee Communication, June 8, 2006 from Scott Charbo and Maureen Cooney regarding Data Security and Privacy

Review of PII Policies and Procedures
June 13, 2007

- Attachment 5: DHS Deputy Secretary Memo, April 26, 2007 regarding Advance Notice to Leadership on Unintentional Release of Privacy Act Protected Information
- Attachment 6: Office of Management and Budget Memorandum M-07-16, *Safeguarding Against and Responding to the Breach of Personally Identifiable Information*

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Assistant Secretary, Public Affairs
Commandant, U.S. Coast Guard
Commissioner, U.S. Customs and Border Protection
Director, U.S. Citizenship and Immigration Services
Director, United States Secret Service
Director, Operations Coordination
Director, Counternarcotics Enforcement
Director, Federal Law Enforcement Training Center
Director, Domestic Nuclear Detection Office
Chief Financial Officer
Inspector General
CIS Ombudsman
Chief Privacy Officer
Officer, Civil Rights and Civil Liberties
Executive Secretariat
Military Advisor

cc: Marta Brito Perez, Chief Human Capital Officer
Scott Charbo, Chief Information Officer
Jerry Williams, Acting Chief Security Officer

Attachment 1

Review of Personnel-Related Data Policies and Procedures and Self Assessment

Each Component and Directorate shall identify a cross functional team that is made up of representatives from the offices that handle personnel-related data. Each Component and Directorate must report in writing the name, title, and contact information for the Component and Directorate point of contact directly to Rebecca J. Richards, Director of Privacy Compliance, Privacy Office, by COB June 27, 2007. This Component/Directorate-level team shall identify and review all paper-based and IT related systems that may contain personnel-related data.

The attached self-assessment for the handling of personnel-related data must be verified and confirmed by the Component/Directorate Head and submitted to Rebecca J. Richards, Director of Privacy Compliance, Privacy Office no later than August 15, 2007.

Personnel-related data is a subset of personally identifiable information (PII)² and includes any PII about DHS employees or contractors held in systems such as human capital operations, security operations, financial operations, time and attendance systems, user name and log in systems, travel systems, and any other electronic systems or hard copy records where such information may be found.

Personnel-related data can be found throughout a Component/Directorate's operations, not only with those with programmatic responsibility for human capital and security operations, but also those in a management or supervisory role. Information may be both electronic and hard copy, and can be at headquarters, regional, and remote locations.

Privacy security incidents can occur anywhere where appropriate safeguards have not been followed. For this reason we are asking for Components and Directorates to examine the entire breadth of the organization, even down to the smallest office, so that DHS is in a position to understand and identify possible issues before the next incident occurs.

A Departmental cross functional team comprised of representatives from the DHS Privacy Office, Human Capital Office, Office of Security, and Office of the Chief Information Officer will review the self-assessment and may follow up with additional meetings to permit the DHS team to understand Component/Directorates' current handling policies and processes for personnel-related data. This assessment will help ensure that previously issued policy has been implemented fully by the component or will help identify gaps in the implementation. Based on the assessments and follow up meetings, the DHS team will develop Department-wide recommendations.

Attachment 3 provides a template for the verification and confirmation memorandum for the Component/Directorate Head to sign.

² "Personally identifiable information" is defined as any information that permits the identity of an individual to be directly or indirectly inferred, including any other information which is linked or linkable to that individual regardless of whether the individual is a U.S. citizen, legal permanent resident, or a visitor to the U.S.

Review of PII Policies and Procedures
June 13, 2007

Please provide all written documentation, including the self-assessments and any supporting documentation to Rebecca J. Richards, Director Privacy Compliance, Privacy Office, email: pia@dhs.gov, fax: 703-235-0442. If you have further questions, please contact the Privacy Office at 703-235-0780.

Review of PII Policies and Procedures
June 13, 2007

Attachment 2

Training of Employees and Contractors with Access to Personnel-Related Data

The attached document, *Protecting & Handling Personnel-Related Data – Quick Reference Guide* should be provided to all employees as part of the combined training. This document is also available at www.dhs.gov/privacy under Privacy Reports and Statements.

Protecting & Handling Personnel-Related Data – Quick Reference Guide

Do make sure all personnel-related data is marked “For Official Use Only” or “Privacy Data.”

Do protect personnel-related data according to the privacy and security safeguarding policies.

Do report any unauthorized disclosures of personnel-related data to your supervisor, Program Manager, or Information System Security Manager.

Do immediately report any suspected security violation or poor security practices relating to personnel-related data.

Do lock up all notes, documents, removable media, laptops, and other material containing personnel-related data when not in use and/or under the control of a person with a need to know.

Do log off, turn off, or lock your computer whenever you leave your desk to ensure that no personnel-related data is compromised.

Do password protect and as appropriate, encrypt all personnel-related data documents sent via e-mail. Do not include the password in the body of the email containing the attachment.

Do destroy all personnel-related data in your possession when no longer needed and continued retention is not required.

Do be conscious of your surroundings when discussing personnel-related data. Protect verbal communication with the same heightened awareness as you would paper or electronic personnel-related data.

Don’t leave personnel-related data unattended. Secure it in a locked drawer, locked file cabinet, or similar locking enclosure, or in a room or area where access is controlled and limited to persons with a need to know.

Don’t take personnel-related data home, in either paper or electronic format, without written permission of your supervisors, office chief, or Information Security Systems Manager, as required.

Don’t discuss or entrust personnel-related data to individuals who do not have a need to know.

Don’t discuss personnel-related data on wireless or cordless phones unless absolutely necessary. Unlike landline phones, these phones can be more easily intercepted.

Don’t put personnel-related data in the body of an e-mail. It must be password-protected as an attachment.

Don’t dispose of personnel related data in recycling bins or regular trash unless it has first been shredded.

Review of PII Policies and Procedures
June 13, 2007

Attachment 3
Verification and Confirmation Template

August 15, 2007

MEMORANDUM FOR: Paul A. Schneider
Under Secretary for Management
Hugo Teufel, III
Chief Privacy Officer

FROM: <<COMPONENT HEAD/DIRECTORATE HEAD>>

SUBJECT: Verification and Confirmation of the Self-Assessment
regarding Safeguarding Policies and Procedures for
Personnel-Related Data at
<<COMPONENT/DIRECTORATE >>

This memorandum verifies and confirms that <<COMPONENT/DIRECTORATE>> has completed the attached self-assessment and it is accurate and complete as of August 15, 2007.

Head of Component/Directorate Signature/Date

Review of PII Policies and Procedures
June 13, 2007

Training Certification Template

September 15, 2007

MEMORANDUM FOR: Paul A. Schneider
Under Secretary for Management
Hugo Teufel, III
Chief Privacy Officer

FROM: <<COMPONENT HEAD/DIRECTORATE HEAD>>

SUBJECT: Certification of Privacy and Security Training at
<<COMPONENT/DIRECTORATE>>

This memorandum certifies that all employees of <<COMPONENT/DIRECTORATE>> have completed the combined Privacy and Information Security Awareness Training.

Head of Component/Directorate Signature/Date

EO REVIEW SCHEDULE JUSTIFICATION

January 30

2008

The FY-08 Office of Civil Rights EO Review program schedule and outline of units selected are provided herein. Program schedule is based upon approximately \$75K funding at the combined CG-00H, LANT and PAC areas.

Technical
Assistance
Visits

LCDR Cassandra Johnson
CG-00H-2 (ext. 2-4513)
30 Jan 08



EO REVIEW PROGRAM: FY-08 UNIT SELECTION AND JUSTIFICATION

GENERAL: The Office of Civil Rights sponsors completion of 22 EO Reviews annually. Reviews are scheduled, conducted, coordinated and managed by CG-00H-2 who works collaboratively with LANT and PACAREA staff and unit POCs in the administration of the program.

In developing annual technical assistance visit schedules, the EO Review Program Manager and Area Directors apply the following considerations as they consider identifying a unit for review:

- Civilian/Military workforce demographics
- Geographical Location
- Size and Type of Unit
- Needs driven by previous EO Review visits or any other information gathered/known which indicates a need for a review [e.g., complaints, social climate incidents]
- Hate crime statistics derived from the Federal Bureau of Investigation, and
- Noose incident locations from the Diversity Inc. Noose Watch website

The final schedule includes Commands which are diverse in type and mission responsibilities [e.g., MSSTs, Stations, CEU's, Cutters, Districts, MLCs, ISCs, Air Stations].

REQUIREMENT: EO Review teams lead by CG-00H conducts reviews of Coast Guard Headquarters and Major Headquarters units as listed in the Standard Distribution List. In order to maintain an appropriate perspective on the operational community, CG-00H-2 teams also review operational units. LANT and PAC EO Review teams are responsible for conducting reviews of operational and all other remaining unit types (afloat and ashore).

The CG-00H EO Review schedule is primarily based on a 5 year rotation of approximately 47 HQ units. As indicated above, there are a small number of operational units included in each year's schedule, usually 1 or 2. PAC and LANT schedules reflect the remaining units. For justification this year, we took into account data derived from hate crime statistics, noose incident locations and locations/units where Coast Guard employees have filed complaints of discrimination. See enclosure (2) for map illustration of EO Reviews from FY-06 to FY-08.

[**Note:** There are over 1,000 Coast Guard units]. In FY07, EO reviews encompassed less than 2% of Coast Guard units; however, reached approximately 4% of the workforce. These numbers remain constant for FY08. While the overall impact of the EO Review program seems minimal, anecdotal feedback to teams [from Commanding Officers, Executive Officers, Civil Rights Service Providers, and employees] indicates results are long-lasting and positive. We believe the planned visits in FY-08 will provide a more measured approach to understanding and identifying EO programmatic and workplace climate issues impacting readiness at commands.

HQ REVIEWS: Units to be reviewed by HQ teams during the FY08 cycle were selected using the above criteria noted above. Additional information is provided below:

- ***District Eleven:*** This unit was last visited in 2002. The unit is located in Alameda, California and has a staff compliment of 141 military personnel and civilian employees. This review will provide the EO review team an opportunity to examine EO program management at the district command level.
- ***ISC San Pedro:*** This unit has not been reviewed. ISC San Pedro is located in San Pedro, California and has a workforce comprised of 105 civilian and military personnel. This review will provide the EO review team an opportunity to examine the EO program management at a support command.
- ***NAF San Pedro:*** This facility has not been reviewed. This NAF unit is located in San Pedro, California and has 4 civilian employees [and an unknown number of intermittent staff].

- **ISC Miami:** This unit has not been reviewed. ISC Miami is located in Miami, Florida and has a staff compliment of 140 civilian and military personnel. This review will provide the EO review team an opportunity to examine EO program management at the unit since HQ has received formal complaints from personnel at this unit within the last two years.
- **Sector Lower Mississippi:** This unit has not been reviewed. This review meets program goal of keeping headquarters staff aware and current on issues affecting EO programs at operational units. This unit is located in Memphis, Tennessee and has a staff compliment of 95 civilian and military employees.
- **AIRSTA Borinquen:** This unit has not been reviewed and is located 2-hours from San Juan, Puerto Rico. The unit has a workforce of 144 military and civilian employees. This review will provide the EO review team an opportunity to examine EO program management at an OCONUS operational shore command.
- **NAF Borinquen:** This unit was visited in 2006. The review yielded significant concerns regarding hiring actions, personnel policies, working conditions, employee treatment and morale. This review is a follow-up to ascertain whether action plans developed by NAF officials have corrected previously identified management challenges. There are currently 9 NAF employed at this unit [and an unknown number of intermittent staff] and in the last two years there have been 11 complaints filed by NAF employees.
- **Sector Lake Michigan:** This unit has not been reviewed. Sector Lake Michigan is the first CG unit in Wisconsin to be identified for an EO review. The personnel compliment is mostly military. Historically, CG members have experienced social climate type issues in the Ninth Coast Guard District area of operations. Sector Lake Michigan employs 95 military and civilian employees.
- **NAVCEN:** This unit has not been reviewed.
- **Personnel Support Center:** This unit has not been reviewed. PSC is located in Topeka, Kansas and employs approximately 270 military and civilian employees. This review will provide the EO review team with a perspective of EO program management at a [mid-Western] HQs unit far removed from other CG facilities.

LANTAREA REVIEWS: Units were selected using a collaborative, interactive process that included engaging the Atlantic Area Chief of Staff, RDML Steven Ratti, Area Civil Rights Officers, Equal Opportunity Advisors and Equal Opportunity Specialists. The Area Director also worked closely with the Atlantic Area, Cutter Forces (Arec) to identify cutters that would benefit from the review process. Additional units were also identified due to disparities identified in the Defense Equal Opportunity Climate Survey (DEOCS) and emergent social climate issues. The following units will be visited by LANTAREA teams in FY08.

- **STATION YANKEETOWN:** This unit has not been reviewed. The station is located in Yankeetown, FL and has 34 active duty military personnel assigned.
- **Sector Boston:** This unit has not been reviewed. Sector Boston is located in Providence, Rhode Island and employs approximately 132 military and civilian employees. This review will provide the EO review team an opportunity to examine EO program management at an operational shore command.
- **Sector Baltimore:** This unit has not been reviewed. Sector Baltimore is located in Baltimore, Maryland and employs approximately 123 military and civilian employees. This review will provide the EO review team an opportunity to examine EO program management at an operational shore command.
- **CGC JAMES RANKIN:** This unit has not been reviewed. The CGC JAMES RANKIN is located in Baltimore, Maryland and employs approximately 27 military personnel. This review will provide the EO review team an opportunity to examine EO program management onboard a Coast Guard cutter.
- **AIRSTA Savannah:** This unit has not been reviewed. AIRSTA Savannah is located in Savannah, Georgia and employs 76 military and civilian employees. This review will provide the EO review team an opportunity to examine EO program management at an operational shore command.
- **CEU Cleveland:** This unit has not been reviewed. CEU Cleveland is located in Cleveland, Ohio and employs 62 military and civilian employees. This review will provide the EO review team an opportunity to examine EO program management at a support command.

PACAREA REVIEWS: The prior PACAREA Chief of Staff, RDML Neptun working with the Area Director for CR selected units for review if they had problems in the past or if they were currently experiencing complaints. Others units were placed on the schedule to get a better understanding of the diverse situations CG members experience in their work environment. In addition, to monitor progress and identify areas where barriers may operate to exclude certain groups, some units were selected randomly. The following units will be reviewed by PACAREA teams in FY-08.

Quote from the Area Director CR: *“Conducting EO reviews has allowed the PACAREA CR team to interact with CG members, from the deck plate level to the CO’s on board cutters, Sectors and at small boat stations.”*

- **Station Golden Gate:** This unit has not been reviewed. Station Golden Gate is located in San Francisco, California and employs 43 military personnel. This

review will provide the EO review team an opportunity to examine EO program management at a small operational shore command.

- **Station Monterey:** This unit has not been reviewed. Station Monterey is located in Monterey, California and employs 42 military personnel. This review will provide the EO review team an opportunity to examine EO program management at a small operational shore command.
- **CGC MAPLE:** This unit has not been reviewed. CCG MAPLE is located in Sitka, Alaska and employs 53 military personnel. This review will provide the EO review team an opportunity to examine EO program management onboard an OCONUS Coast Guard cutter.
- **CGC HAMILTON:** *(Pending date change)* This unit has not been reviewed. CGC HAMILTON Station is located in San Diego, CA and employs 162 military personnel. This review will provide the EO review team an opportunity to examine EO program management at a large afloat command.
- **CGC MELLON:** This unit has not been reviewed. CGC MELLON is located in Seattle, Washington and employs 162 military personnel. The Area manager has received 3 complaints from unit personnel and this will give the EO review team an opportunity to examine the current climate and EO program management at this specific unit.
- **Sector Honolulu:** This unit has not been reviewed. Sector Honolulu is located in Honolulu, Hawaii and employs 107 military and civilian employees. This review will provide the EO review team an opportunity to examine EO program management at a large operational shore command.

Following are Summary Tables 1-3 which depict a breakout of total CG-00H FY-08 EO review efforts:

(1) Overview of Planned Reviews:

<i>Number of Units</i>	<i>Total # of Unit Employees</i>	<i>Percentage of Overall Service</i>
22	2,403	4%

(2) Types of Unit Visited:

Cutters	Sectors	HQ Units	Stations	ISCs	Air Stations	NAF	CEU
4	5	3	3	2	2	2	1

(3) Geographical Representation:

Northeast	Mid-West	Southeast	West/Northwest	OCONUS
4	3	4	7	4

Encl: (1) FY-06 thru FY-08 EO Review Schedule overlay to Noose Incident/Hate Crime
Statistical Map
(2) FY-08 EO Review Schedule/Teams

APPENDIX F

U. S. Coast Guard Equal Opportunity Review Survey

Demonstrate Command Leadership

1. People at my unit are treated equally, without regard to race, color, gender, religion, national origin, age or disability.
 1. Agree
 2. Disagree
 3. Don't know
2. People at my unit are disciplined fairly, without regard to race, color, gender, religion, national origin, age or disability.
 1. Agree
 2. Disagree
 3. Don't Know
3. People at my unit are evaluated for their performance without regard to race, color, gender, religion, national origin, age or disability.
 1. Agree
 2. Disagree
 3. Don't Know
4. Military personnel receive fair treatment at Captain's Mast.
 1. Agree
 2. Disagree
 3. Don't Know
5. You believe that everyone is treated fairly when it comes to promotions and advancements?
 1. Agree
 2. Disagree
 3. Don't Know
6. My immediate supervisor assigns duties equally without regard to race, color, gender, religion, national origin, age or disability.
 1. Agree
 2. Disagree
 3. Don't Know
7. Senior Leadership (CO, XO, Department Heads, Division Officers) works to improve the quality of life for all members at my unit.
 1. Agree
 2. Disagree
 3. Don't Know

8. My unit's senior leadership recognizes members at my unit when they have performed well.
1. Agree
 2. Disagree
 3. Don't Know
9. I know who my unit's Civil Rights Service Providers are (Civil Rights Officer, Equal Employment Opportunity Counselor, Equal Opportunity Advisor, etc).
1. Yes
 2. No
10. My unit has a visual display of the Equal Opportunity chain of command servicing my unit.
1. Yes
 2. No

Develop An Organizational Culture That Values Diversity

11. My Commanding Officer promotes an atmosphere of Equal Opportunity for all people.
1. Yes
 2. No
12. My Commanding Officer has clearly stated his/her expectations regarding Human Relations, Equal Opportunity and Sexual Harassment.
1. Yes
 2. No
 3. Don't Know
13. I have attended Human Relations Awareness Training and Sexual Harassment Prevention Training since I reported to this unit.
1. Yes
 2. No
14. My unit's senior leadership actively supports and participates in cultural awareness events.
1. Agree
 2. Disagree
 3. Don't Know
15. I am given time to attend command-sponsored cultural awareness events during the workday.
1. Yes
 2. No
16. There is tension between minority and non-minority members at my unit.
1. Agree
 2. Disagree
 3. Don't Know

17. There is tension between male and female members at my unit.
1. Agree
 2. Disagree
 3. Don't Know
18. There is tension between military and civilian members at my unit.
1. Agree
 2. Disagree
 3. Don't Know
19. There is tension between reservists and active duty military members at my unit.
1. Agree
 2. Disagree
 3. Don't Know
20. My unit has a Human Relations Council.
1. Yes
 2. No
 3. Don't Know
21. My Commanding Officer and/or Executive Officer take(s) an active interest in Human Relations Council proceedings.
1. Agree
 2. Disagree
 3. Don't Know
22. I have someone I can go to for professional guidance and support (either at this unit or another unit).
1. Yes
 2. No
23. My unit has a mentoring program.
1. Yes
 2. No
 3. Don't Know
24. I receive effective mentoring at my unit.
1. Yes
 2. No
25. People at my unit do not mind when a language other than English is spoken in a social setting during the workday (i.e., in the elevator, in the cafeteria, etc.).
1. Agree
 2. Disagree
 3. Don't Know

26. I believe Human Relations Awareness Training is necessary.

- 1. Yes
- 2. No

27. I think Sexual Harassment Prevention Training is necessary.

- 1. Yes
- 2. No

Identify and Eliminate Barriers to Civilian Equal Opportunity

28. Members of my work group often complain about inappropriate behavior in the workplace.

- 1. Agree
- 2. Disagree
- 3. Don't Know

29. Members of my work group have been offended by sexually explicit material, such as pictures, notes or comments at this unit.

- 1. Agree
- 2. Disagree
- 3. Don't Know

30. There are whispered conversations, averted glances or ogling when members of the opposite sex walk by.

- 1. Agree
- 2. Disagree
- 3. Don't Know

31. My unit openly advertises civilian job vacancies.

- 1. Yes
- 2. No
- 3. Don't Know

32. My unit's leadership is concerned about diversity in the civilian workforce.

- 1. Agree
- 2. Disagree
- 3. Don't Know

33. I think that recruiting from groups that are under-represented in the civilian workforce is a good thing for the Coast Guard.

- 1. Yes
- 2. No

34. My unit does not favor retiring or former military members when hiring to fill civilian vacancies.

1. Yes
2. No
3. Don't Know

35. Senior leadership encourages members at my unit to recruit qualified women and minorities for the civilian workforce.

1. Agree
2. Disagree
3. Don't Know

Resolve Complaints at the Lowest Level

36. If I filed a discrimination complaint, it would be taken seriously by my command.

1. Yes
2. No
3. Don't Know

37. A male's sexual harassment complaint would be taken just as seriously as a female's sexual harassment complaint.

1. Yes
2. No
3. Don't Know

38. A non-minority person's discrimination complaint would be taken more seriously than a minority person's discrimination complaint.

1. Yes
2. No
3. Don't Know

39. A civilian's complaint of discrimination or sexual harassment would be taken just as seriously as an active duty person's complaint.

1. Yes
2. No
3. Don't Know

40. My unit's Civil Rights Officer is knowledgeable of the complaint process.

1. Agree
2. Disagree
3. Don't Know

41. My unit's Equal Employment Opportunity Counselor or Equal Opportunity Advisor is knowledgeable of the complaint process.

1. Agree
2. Disagree
3. Don't Know

42. If there is a race or gender issue at my unit, the parties involved usually try to resolve it at the lowest level.

1. Agree
2. Disagree
3. Don't Know

43. People at my unit can file complaints of discrimination or sexual harassment without fear of retaliation.

1. Agree
2. Disagree
3. Don't Know

44. I know about the Coast Guard's Alternative Dispute Resolution (mediation) Program.

1. Yes
2. No

Promote Affirmative Outreach in the Community

45. My unit is actively involved in the local community.

1. Yes
2. No
3. Don't Know

46. My unit has an active Partnership in Education (PIE) Program with a local school.

1. Yes
2. No
3. Don't Know

47. My immediate supervisor allows people to take time off during the workday to participate in community outreach programs.

1. Yes
2. No

48. Have you had a negative experience with the surrounding community because of your gender, race and/or national origin?

1. Yes
2. No

49. Does the community seem supportive of Coast Guard members and their families?

1. Yes
2. No

50. Do you feel comfortable in the local community?
1. Agree
 2. Disagree
 3. Don't Know

Survey Participant Information

51. What is your gender?
1. Male
 2. Female
 3. Decline To Answer
 4. No Answer

52. What racial/ethnic group do you most identify with?
1. African American/Black
 2. Asian American/Pacific Islander
 3. Hispanic
 4. Native American/Alaska Native
 5. Caucasian/White
 6. Other
 7. Decline To Answer
 8. No Answer

53. What is your age range?
1. 19 or under
 2. 20-29
 3. 30-39
 4. 40-49
 5. 50-59
 6. 60 and over
 7. Decline To Answer
 8. No Answer

54. Is English your primary language?
1. Yes
 2. No
 3. Decline To Answer
 4. No Answer